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Note by the President of the Security Council

Following the discussion in the Security Council on the agenda item entitled "Africa's food crisis as a threat to peace and security", held at the 4652nd meeting of the Council, on 3 December 2002, the attached paper, containing responses to questions posed at the meeting to Mr. James Morris, Executive Director of the World Food Programme, is hereby circulated for the attention of the members of the Council.

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Annex

Responses to questions addressed to Mr. James Morris, Executive Director of the World Food Programme, by members of the Security Council at the 4652nd meeting of the Council, on 3 December 2002, on the item entitled "Africa's food crisis as a threat to peace and security"

QUESTIONS FROM THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

1. We would like to ask whether WFP is confident that those who need food aid in Africa are receiving it, and whether WFP is satisfied that it has sufficient mechanisms for monitoring this.

Answer: There are two potential obstacles to ensuring that food aid reaches those who are in need in the current crises: 1) political manipulation of food assistance, and 2) a lack of resources.

WFP works in many harsh and politically charged environments where food must be carefully monitored to avoid its misuse. Political interference in the distribution of WFP food aid is absolutely intolerable, a point which WFP does not hesitate to discuss openly with recipient governments. It is crucial that WFP is allowed to target beneficiaries using established vulnerability criteria and not be influenced by political concerns, and in places where that is not possible, WFP will suspend its operations. Recently, WFP temporarily suspended distributions in two localities in Zimbabwe until it was assured there was no political interference. In most cases, however, WFP food assistance comprises only a portion of food aid being distributed. In these circumstances, WFP is unable to guarantee that political misuses do not occur with those food aid resources.

In southern Africa as elsewhere in Africa, WFP relies on a strong field presence for monitoring distributions in order to ensure they are not politically influenced, and that our food reaches those that need it the most. We regularly verify beneficiary figures from monthly-consolidated output reports and review them against target figures - maps and charts. In Zimbabwe for example, at the community level, 42 field monitors in over 40 districts support the efforts of our NGO partners distributing food locally and their field staff in order to monitor that those most in need are actually the ones receiving WFP food aid.

This same monitoring system assists WFP in its effort to ensure that the most vulnerable people are targeted with food aid when a shortage of resources forces a scaling down of programs. WFP dedicates much time and energy in strengthening vulnerability analysis and methodologies, defining prioritisation strategies and beneficiary selection criteria that help us reach the populations most at risk. In southern Africa for example, geographical prioritization exercises to identify 'hotspot areas' (coinciding presence of several vulnerability indicators such as food security, nutrition, HIV prevalence) are used to concentrate aid in the most vulnerable areas in a given country. At the community level, registration exercises are undertaken with guidance using agreed criteria as well as with

participation from local stakeholders. Beneficiaries are identified as per their demographic and socio-economic characteristics. Those most in need as per the vulnerability criteria have priority in the registration exercise.

2. How is WFP coordinating with other agencies to ensure that any potential for conflict in the areas in which WFP are working is minimized? We would be interested in your comments on coordination between WFP and the DPKO, for example, in dealing with food insecurity in conflict situation and the handling of food aid in those areas.

Answer: As a member of the United Nations, WFP is mandated to ensure coordination with its sister agencies to avoid potential conflict or duplication. In Southern Africa for example, a Regional Inter-Agency Coordination and Support Office (RIACSO) has been established within the WFP Regional Bureau Office. At its head is the Regional Coordinator for the UN Secretary General's Special Envoy, who also serves as WFP's Regional Director, ensuring that coordinated support is provided to the different UN agencies represented at the regional level as well as to Country Teams. Support is provided at this level for strategic and contingency planning, assessment, monitoring and situation analysis.

RIACSO is expected to grow from its present composition (OCHA, UNDP, FAO, IFRC, UNICEF, UNAIDS, WHO, WFP) and include other agencies and organizations such as IFAD and ILO, as well as a reinforced presence by those already in situ. RIACSO is at present building a network of communication at the regional level between the UN agencies and the key NGO partners and donors to avoid duplication and strengthen impact.

Throughout Africa, inter-agency and regional information sharing is also facilitated through the establishment of various mechanisms by OCHA for both UN and non-UN information sources. Possible areas of overlap and gaps in coverage are also identified through the review and consolidation of programmes and projects within the framework of the UN Consolidated Appeals.

In the last several years, WFP and DPKO have increasingly developed their cooperation and coordination. In particular, WFP and DPKO are coordinating and collaborating on logistic matters, such as air operations to maximise both efficiency and safety, sea and land transport in countries where DPKO has a presence. DPKO may also participate actively in the United Nations Joint Logistic Center (UNJLC) for which WFP is the custodian for the UN system. Increasingly, WFP and DPKO are sharing information relating to preparedness, for instance, in relation to potential crisis situations. WFP and DPKO are co-located in Brindisi and coordinate on response activities launched from there.

At the field level, WFP often works side by side with UN missions and DPKO implementing its humanitarian mandate and assisting millions of war affected civilians caught in conflict situations. When required, and when the conditions permit, WFP supports war to peace transitions for instance by ensuring the provision of food aid to

demilitarized soldiers and their dependents, as well as vulnerable groups and child soldiers, in the context of UN supported Demobilization and Reintegration exercises. In the context of start-up phase of quartering process, when military personnel have not yet been disarmed (and therefore where WFP cannot consider the provision of food assistance to armed military personnel), WFP normally will coordinate with DPKO to establish plans for the provision of food requirements through alternative means and resources. However, once disarmament has taken place in the framework of a well designed plan for demobilization, and where there is a DPKO mission on the ground, WFP can be an active partner in the provision of food assistance for DDR. DPKO and WFP also would, in this case, cooperate and coordinate on security and logistic matters, this including the organization of humanitarian convoys and escorts.

WFP presence in conflict areas is regulated by UNSECOORD. DPKO may, in exceptional circumstances and if so allowed by the mandates of the Security Council on a given situation and if the mission has the means to do so, transport and deliver WFP food aid commodities to areas of high insecurity where WFP personnel is forbidden to go due to UNSECOORD decisions. Other areas of collaboration between WFP and DPKO are in the areas of training and mine action.

3. The situation in Southern Africa is clearly very grave. We would be interested in the views of WFP on the extent to which this crisis is caused by drought and the extent to which it is worsened by government policy. Mr. Morris made reference to the role that economic policy can play in this area, and government decisions. I have Zimbabwe particularly in mind in this context.

Answer: Although the reduction in crop harvests in the Southern Africa region can be partially attributed to erratic rainfall and drought-like conditions, the principal factors underlying the crisis include a volatile mix of ineffective food security and governance policies, the depletion of strategic grain reserves, disruptions to commercial farming, poor economic performance, foreign exchange shortages and delays in the timely importation of maize.

In Zimbabwe, the land reform policy disrupted agricultural activities and has led to the collapse of the commercial food sector. Commercial cereal production declined by 61% from an already poor harvest of 2001. Unlike the 1992 drought, the water table did not decline during the 2001/2 agricultural years, which would have allowed the large-scale commercial sector to irrigate and reduce the decline in cereal yields. Government policies restricting private sector commercial imports (which at present accounts for only 2% of commercial imports) and controlling the pricing of cereals have also contributed to the food deficit in Zimbabwe.

Greater private sector participation in the market (in particular in the food imports sector), is essential for the improvement of the overall food supply in the short, medium and longer term. At the same time, it is important to promote more effective food security policy frameworks in Africa to mitigate the effects of disasters and promote longer term development objectives.

QUESTIONS FROM MAURITIUS

1. As a SADC member, Mauritius is extremely concerned about the alarming humanitarian situation in our region. According to recent press releases, the humanitarian relief effort in southern Africa is falling short by 400,000 tons of food, and even the next season will not enable farmers to produce enough food to support the population with the intensification of El Nino. There is a likelihood that crop production could drop even lower, thus necessitating food relief efforts to stretch beyond 2003. And it is alarming to note that the number of people of SADC countries that will continue to suffer from food crisis until next year is now estimated at close to 15 million. We would like to hear the strategy that WFP is adopting for its operations and resource needs to face this grave situation.

Answer: As of 17 December 2002 the Southern Africa Emergency Operation was 61.5% funded for the period July 2002- March 2003, with a shortfall of approximately US$ 195 million. Despite the shortfall, WFP continues to feed as many people as possible. Unfortunately, however, the effectiveness of food aid in facilitating the recovery of the region has been damaged by an even lower level of support provided by donors for other lifeline sectors such as health, nutrition, and agriculture. Only about 20% of the necessary resources for these non-food sector programs have been committed thus far.

The SADC Vulnerability Assessment Committee (VAC) assessment completed in September 2002 indeed revealed that the situation is growing worse. Dry spells and drought, crop failures, depletion of strategic grain and household reserves, disruptions to commercial farming, and poor economic performance throughout the region, as well as the compounded effects of the HIV/AIDS pandemic in this region, have all combined to threaten an estimated 14.4 million people. This means that the population in need of assistance has so far increased by 1.6 million compared to the 12.8 million people in need that was estimated by the May FAO/WFP Crop and Food Supply Assessment Mission.

Because of funding shortfalls, WFP and other agencies are moving to set priorities based on the assessment findings which have identified 'hot spots' of vulnerability (including HIV/AIDS prevalence). WFP and its partners will target food and other resources to those areas and those beneficiaries that are most vulnerable. At the same time, based on the results of a new assessment has just been completed (the results of which will be available in early January), WFP will make careful projections to ensure continuity in food resourcing and to avoid a food pipeline break.

Very preliminary information from the latest assessments continues to indicate that the situation is grave with a poor harvest expected in April/May. Furthermore, even if the weather patterns improve and the political situation stabilizes, HIV/AIDS has driven the people in need to the limits of survival. This is likely to remain an emergency threat in the future, which will require substantial assistance for several years to come.

WFP's intervention in Southern Africa after the March period will address these realities and adapt itself to the changing circumstances on the ground. Care will be taken not to distribute too much food during the harvest period, so as not to disrupt local market mechanisms and agricultural and labour incentives while ensuring that the most vulnerable populations continue receiving the necessary food aid. Safety net programmes such as School Feeding, nutrition rehabilitation, HIV care and support, orphans support, and Mother and Child Health care will become of great importance in providing assistance to individuals who cannot benefit from the newly available food sources. Simultaneously, some general food distributions may be maintained to reach the most vulnerable segments of the population, such as the elderly, the chronically ill, child-headed households, and so on.

2. We also have a second concern within the region about the status of the genetically modified (GM) food that is currently being sent to some countries of the SADC region. We all know that donations of food to WFP include those containing GM products, and some countries are quite legitimately concerned about the potential risk to biological diversity of their maize varieties. As we all know, they have expressed reservations on receiving such food products. In some of the SADC countries, the milling processes of GM products, especially whole grain maize kernels, is being undertaken by some of them, but not all of them have the capacity to do so. We understand that the UN agencies involved in the humanitarian operations are planning to establish a policy for food aid involving GM products or food derived from biotechnology. We would like to get more information about the safety of such products and how much research has been carried out to ensure that these do not have only long-term effects on the health of the population but also that they do not have an effect on the environment where these products are likely to be used.

Answer: The WFP policy that has been in effect with regard to all donations of foods can be summarized as follows:

- WFP distributes only foods that fully meet the food safety standards of both donor and recipient countries and that they both deem safe for human consumption. This applies to both in-kind and purchased food donations.

- WFP food aid shipments adhere to the food safety guidelines and recommendations of the Codex Alimentarius Commission, jointly signed by FAO and WHO.

- The Programme essentially acts as a broker in food aid shipments, and the policies of the governments involved prevail. In order to function, WFP must operate on the assumption that governments exercise due diligence in setting their national regulations with regard to exports and imports of food.

With regard to the safety of GM food, WFP has never received any report of ill health effects or allergic reactions to any GM foods it has provided. WFP is unaware of any documented ill effects, including allergic reactions, to GM foods anywhere in the world.

A UN policy on GM food aid has already been developed with specific reference to southern Africa. WFP, along with FAO and WHO, issued a joint statement that indicated clearly that, based on all scientific evidence available to date and national information, GM/biotech foods now marketed present no known risk to human health. The Statement also endorsed the basic principle in WFP's existing policy, that the acceptance or rejection of any such food donations is the prerogative of the recipient Government.

With regard to environmental issues, the statement noted that recipient governments can opt to process GM commodities, which satisfactorily deals with the issue of accidental introduction of these crops. WFP is assisting southern African countries receiving GM maize with milling when so requested.

On questions related to research on GM food products, we would refer the Security Council members to two lectures on GM food recently given in the Secretary-General's lecture series. The WFP New York Liaison Office is forwarding copies to the offices of all Security Council members for their information.

QUESTIONS FROM SINGAPORE AND IRELAND

1. It is obvious that food insecurity has many causes, some of which are beyond our control. Mr. Morris explained how adverse climatic conditions are out of control, and certainly sometimes national governments do not have control over their economic, agricultural and public policies. In relation to this issue, one question is that, working within the context of WFP's dual mandate, i.e. development and dealing with emergencies, would it be possible for WFP to develop programmes in Africa that are self-sustainable and would be able to reduce or eliminate the number of chronic emergencies? **(SINGAPORE)**

2. In terms of the challenge facing governments and the private sector in Africa, the NEPAD document says clearly that agrarian system biases in economic policy are factors affecting food insecurity, as well as drought and instability in world commodity prices. We would be grateful for an assessment, however brief, of what can be done by governments and by the private sector in terms of, for example, provision of irrigation equipment, development of arable land, to address the food insecurity situation. This also links in with the question of government policy that has been raised earlier -- the strong theme that comes across in NEPAD of the importance of developing community leadership and government policies to support that. That was also a theme that came across recently in the International Food Policy Research programme that emphasized that the role of small farmers is probably the single most important dimension in addressing food insecurity problem in Africa. **(IRELAND)**

3. The recent report by the UN Institute for Natural Resources very strongly said that low soil fertility and degradation of land in Africa -- 72% in sub-Saharan Africa for crop land degradation and 32% for pasture land – remains a serious problem. Those figures

suggest that there is a real need for very long-term support by WFP, FAO, and the international community generally in tackling soil degradation and strengthening soil fertility. What is your response to this need? **(IRELAND)**

Answer: Agriculture and rural development must play a central role in strategies to reduce hunger and poverty and make rural households more resilient in the face of natural disasters. Agriculture is a source of food but agriculture and rural off-farm activities also provide employment and income for the rural poor. The income from agricultural growth creates demand for goods and services, creating a cycle in which agriculture and rural off-farm income increase while sustaining each other's growth. Improvements in the conditions of small-scale farmers are especially important since, paradoxically, they produce much of the food while also accounting for a high proportion of the poor and hungry.

Growth in agriculture and rural off-farm activities creates opportunities for the poor to raise their incomes. Yet, the extent to which they are able to take advantage of these opportunities depends on whether they are well nourished, in good health and literate. Improvements in nutrition are a prerequisite for the poor to take full advantage of the opportunities created by development.

WFP and FAO have agreed that the best way to tackle long-term food insecurity is through a twin-track approach. One track is dedicated to creating opportunities for the hungry to improve their livelihoods by promoting development, particularly agricultural and rural development, through policy reform and investments in agriculture. The other track involves direct measures to fight hunger through programmes to enhance immediate access to food by the hungry, thereby increasing their productive potential and allowing them to take advantage of the opportunities offered by development.

The Rome-based agencies believe that implementing such a twin-track strategy offers the best hope of reducing long-term vulnerabilities to food insecurity that, if unresolved, can exacerbate the severity of food emergencies. It is important to note, however, that the immediate causes of most food emergencies – conflict, drought, and sudden natural development – cannot be prevented solely by development activities. Thus, even if the twin-track strategy were fully and effectively implemented, poor countries would still occasionally face humanitarian emergencies where food aid is required.

The twin track approach calls for investments in five areas, four of which relate to agricultural and rural development. The five areas are as follows:

1. *Improve agricultural productivity and enhance livelihoods and food security in poor rural communities*. Such a process requires an initial injection of capital, either through loans or matching grants, to enable farmers to kick-start a sustainable process of on-farm innovations.

2. *Develop and conserve natural resources.* Investments need to focus on managing the resource base, improving technical production efficiency (yields) and developing practices that foster sustainable and intensified food production.

3. *Expand rural infrastructure.* This includes priority for rural roads and basic infrastructure to stimulate private sector investment in food marketing, storage and processing, as well as increased market access.

4. *Strengthen capacity for knowledge generation and dissemination.* This requires the provision of effective knowledge-generation and dissemination systems, aiming to strengthen links among farmers, agricultural educators, researchers and extension workers. National agricultural research systems also need to increase their capacity to respond to the technology needs of small-scale farmers.

5. *Ensure access to food for the most needy through safety nets and other direct assistance.* Targeted feeding programmes include school meals, feeding of expectant and nursing mothers as well as children under five through primary health centers, soup kitchens and feeding programmes directed at the most destitute. WFP food aid programs primarily support this element of the twin-track strategy. Another essential part of such intervention, particularly after a major emergency, is ensuring the availability of seeds, tools and other inputs to small farmers. These are programs primarily supported by FAO or other agencies and NGOs.

The investments proposed above will only have the intended impact if appropriate policies are in place to ensure the maximum impact of public resources. In particular, an enabling policy environment will assist in attracting private investments needed to complement public investment flows.

QUESTION FROM SINGAPORE

On a second general point, Mr. Morris spoke about the increased demands on WFP within the eight months that he has taken over as Executive Director, but our research has already shown that there appears to be a paradox between the abundant food surpluses today and the fact that more people are starving today than ever before. Would Mr. Morris agree that such a paradox does exist, and if so, could he comment on the possible causes for this paradox? Finally, does Mr. Morris have any suggestions on how to turn the situation around?

Answer: Global food production has been sufficient to feed every man, woman and child since the 1960s. The largest per capita increases in food production have come in the more densely populated areas of the world, in particular China, India and the rest of Asia. The hunger problem we continue to have is not a food production issue. Poverty is the main cause of food insecurity, as poor people frequently cannot afford to buy all the food they need or have access to land to produce it. The demand for food will increase

by 30% to 50 % over the next 15 to 25 years. As a result of population growth and broad economic development, more people will be willing, or able, to buy more and better food.

While the supply of food will increase in response to market demand – in other words, to buying power – there will still be millions who are unable to translate their nutritional needs into a commercial demand for food. These are the people who are left out of the global picture of supply and demand. The only way for poor people to be able to access adequate amounts of food in the long-term is to assist them in climbing out of poverty through investments in education, nutrition, agriculture and rural development. Food aid can play a vital role in meeting immediate food consumption needs of the hungry poor so they can take advantage of the longer-term opportunities offered by such development activities.

QUESTIONS FROM THE UNITED STATES OF AMERICA

1. *What is the role of food import policies in terms of the threat of famine?*

Answer: Through structural adjustment programmes and membership in the WTO, most developing countries have adopted food import policies that are conducive to the importation of food through market mechanisms. Studies conducted by FAO and others suggest that many of the poorer developing countries, particularly in Africa, have undertaken substantial food market liberalization. In many African countries in particular, agricultural market liberalization may increase agricultural production and food supplies. However, it may also increase dependence on imported foods in situations where farmers have shifted from food crops to export crops, or where imported food is cheaper than that is domestically produced. This may leave a country vulnerable when faced with a decline in domestic food production and an income shock – which reduces the ability to import food. It is important for the poorest countries that both grant facilities (food aid) and other financial facilities (soft-loans) are available to ensure adequate food supplies.

2. *What is the role of government food distribution mechanisms in terms of the threat of famine?*

Answer: WFP recognizes that national governments have the primary responsibility to provide relief and assistance to the affected populations and, as necessary, to request, co-ordinate and make arrangements for the utilization of international assistance. Governments are expected to mobilize and use food stocks available in the country to initiate food relief operations where such are required. National security or reserve stocks should be used, where appropriate. Arrangements should be made to borrow commodities from other projects and organizations, where necessary, to ensure timely distribution before new food supplies arrive or to arrange commodity exchanges between different bodies where this can reduce the total food movements required and, therefore, economize on transport costs. Without the full cooperation of governments, WFP's effectiveness is limited.

3. What is the impact of theft and corruption on the threat of famine?

Answer: It is difficult for WFP to assess how much theft and corruption disrupt the agricultural economy and contribute to the possibility of famine in the current food crises in Africa. What is very clear and quantifiable is the impact of poor economic policies which are often tied to corruption. Clearly, in Malawi there is an issue of corruption in the role of national cereals stocks, but so far all indications are that the Government of Malawi is pursuing this case in good faith.

With regard to food aid itself, the overall impact on WFP operations of theft and corruption in terms of tonnage is very small. As an example, out of the total amount of food distributed through WFP's southern Africa emergency operation thus far in six countries (over 270,000 metric tons), less than 0.25% has been lost through theft (based on losses before final distribution). Country Office Teams, and in particular their monitoring units as well as non-governmental and other counterparts deploy significant efforts in order to ensure that this is the case.

In Zimbabwe, a limited number of illegal seizures of WFP food have taken place which were dealt with immediately. For example, when ruling party activists seized 3 metric tonnes of WFP food from a WFP partner's depot in the Insiza district, WFP suspended distributions in that district until the Government of Zimbabwe provided us with strong assurances that a similar event will not occur again.

As the food insecurity situation worsens in such countries, the cases of theft and corruption are likely to increase as well. In such circumstances, WFP remains committed to applying a strict no-tolerance policy and working closely with governments who have the prime responsibility to ensure that adequate legal frameworks and an appropriate security environment are provided to deal with such incidents and limit their frequency.

QUESTIONS FROM IRELAND

1. Regarding the level of support that has been given in terms of long-term development funding by the international community, the NEPAD paper makes a strong point that support by developed countries, including the multilateral institutions, has seriously diminished for agriculture over the past decade. This is a very serious factor in terms of tackling food insecurity, if that trend persists. So, is it possible to say what can be done by WFP to encourage donors to return to long-term agricultural support and development, particularly through your own programmes?

Answer: WFP, in partnership with the Food and Agriculture Organization (FAO) and the International Fund for Agricultural Development (IFAD), has advocated strongly for greater funding for agriculture and rural development. The three Rome-based agencies presented a joint paper to the March 2002 Financing for Development Conference in

Monterrey entitled "Reducing Poverty and Hunger: The Critical Role of Financing for Food, Agriculture and Rural Development." (Copies of the paper are available from the FAO and WFP missions in New York.) The three agencies promoted the ideas contained in the paper both in their plenary speeches at Monterrey and a well-attended joint side-event. We hope donors will recognize the critical need for greater support for agricultural and rural development in their own follow-up actions to the Monterrey conference. WFP's own development programmes are first and foremost determined by where we believe food aid has a comparative advantage in addressing the needs of the hungry poor. We have determined that food for education (primarily through school feeding); feeding programs for women and children at critical times in their lives; food for training that helps build human assets; and food for work that creates physical assets of lasting value to the poor, are areas where food aid can best contribute to long-term improvements of the hungry poor, most of whom live in rural agricultural areas.

2. On the question of globalization and protectionism, there have been some criticisms in some African countries that, as their economies have liberalized, this has not been met with a reciprocal response by the developed countries in terms of tariffs and protectionism in agriculture. And it has also meant, of course, that in some countries, for example Senegal or Tanzania, that there has been a diversion of food production for exports, given its greater value. This of course also in turn has implications for the local economy where promotion of exports can weaken the local base. It can also lead to weakness in prices of commodities which is another issue, albeit related.

Answer: The Executive Director made clear in his remarks to the Security Council that he agrees that trade reform that increases developing country access to developed countries markets is essential to reducing hunger and achieving long-term agricultural development and rural poverty reduction. The Programme's response to the other issues raised in this statement by Ireland is included in the earlier answer to the question from the United States.

3. Finally, to also ask in terms of the immediate crisis that WFP has been emphasizing in recent weeks, the planting of seeds for next year has been seriously affected by the current crisis. Is this something where in terms of support by the international community something can be done over the coming weeks and indeed of course by the WFP, or is the shortfall in seeds, fertilizers and hand tools, etc. a real difficulty in terms of planning for a reasonable crop, given the expected climate conditions next year?

Answer: FAO's $30 million appeal for emergency agricultural support in southern Africa has only been about 28% funded. Undoubtedly, this will have an impact on this year's harvest, as farmers do not have the inputs necessary to produce their crops (the situation is worse in some countries than others). Ironically, seed availability in the region is generally not too bad, but it is critical to note that poor households, however, simply cannot access them.

The international community should be encouraged to continue supporting programs of seed and inputs provision, and indeed agricultural development generally in the southern Africa region. Without sufficient amounts of seed available to poor farmers, the countries in the region cannot hope to recover from the shock of recent harvest failures and in some cases resume their previous status as net exporters of grain.

Even if the drought continues next year, some yield from the agricultural season can be expected, and efforts to maximize the harvest are more cost effective than buying and importing food. At the same time, such efforts support farmers' livelihoods. Over the long-term, programs that support crop diversification (including the planting of drought-resistant crops) also need to be developed further and supported so that the risk of a crop failures is minimized.

The current situation of seed availability across the region can be summarized as follows:

Lesotho – Some shortages are present. Note that season has now started in the highland areas so seed inputs now would focus on short-season crops, e.g. vegetables and pulses. Some frost damage exists, but that is mainly confined to highland areas.

Malawi – The UK and Norway supported two million seedpacks.

Mozambique – Enough local seed is available in country but around 60,000 farmers need emergency provision due to access problems.

Swaziland –Enough local seed available.

Zambia – Enough main-crop seed is available in the country but there are problems of local access and delivery. The situation is the same with fertiliser.

Zimbabwe – Enough seed is in country but there are access problems relating to the rate of inflation pushing up prices. FAO and NGO interventions are taking place for around 500,000 households, as well as Government loan schemes and some private industry efforts. Shortages of fertiliser exist due to transport and foreign exchange problems. There is likely to be reduced planting and production.

Source: SADC Regional Early Warning Unit (10 December 2002)

QUESTIONS FROM GUINEA

1. Within the famine alert campaign in Africa, we would like to find out whether the provision and management of food aid will take place on a national or regional level. What would be the most effective approach for Africa?

Answer: The World Food Programme has increasingly used a regional approach in crisis which strike specific regions. For example, WFP alerted the international community on the problems affecting the Horn of Africa in 1998 and Southern Africa in 2002 as the problems were of a regional nature and affecting millions of lives within a region. In addition to facilitating the allocation, delivery and distribution of resources to the most critical needs as the crisis unfolds, it also ensures that the beneficiaries in any one country are not unduly affected by temporary pipeline gaps which could lead to unrest and threats to peace and security. The West Africa region is already covered by a WFP regional emergency operation, covering the needs of the Mano River Union.

In the context of the famine alert campaign in Africa, WFP has been identifying needs on a national level, in close consultation with the governments and FAO, then, if appropriate, aggregating them at a regional level. WFP, in consultation with both recipient and donor governments, tries to assess the best resource mobilization strategy to meet the needs of the most vulnerable. The active participation and implication of affected governments in resource mobilization is a key to success in trying to meet the needs.

2. What could be the role played by civil society, particularly by women, in implementing the food aid policy within the context of this campaign (the Africa Hunger Campaign)?

Answer: WFP has launched the Africa Hunger Campaign as a global response to spontaneous assistance initiatives in North America, Europe and Asia. The policies adopted, national or sub-regional, within such a campaign will be crucial to addressing the problem of hunger in the region.

Civil society (CS) in general, and women in particular, could make a valuable contribution to complement government efforts in reducing hunger within the context of this campaign. The focus of CS in many countries is to close the economic and social gaps within society through campaigns for good governance, gender equality and equal access to national resources. CS could serve as partner in the development of national and/or regional food aid policies, in addition to being key stakeholders during implementation, monitoring and evaluation phases of such policies.

WFP believes women should be at the center of every aspect of food assistance programs and has incorporated this commitment into its policies. We encourage CS institutions to play an important role in mobilizing local men's and women's participation in the policy preparation process at the national and local level. CS could also make valuable inputs into a well-researched policy through the provision of information during needs assessments, and the gender-sensitive identification of appropriate food assistance programmes (general food distribution, supplementary feeding programmes, food-for-work and food-for-training).

At the level of implementation, capable partners are required to register beneficiaries as well as carry out food distribution, monitoring and evaluation, and reporting on progress

of implementation. Women play a key role during this phase as members of teams responsible for identifying and registering those who need food assistance (beneficiaries), distributing food to those who need it, and controlling its use within the household.

As members of community-based organizations, women could be of particular importance, especially because they could ensure local government control and influence by participating in food-related decision making.

Logistics is another area where women could play a significant role as they are rarely recruited to ensure food delivery to beneficiaries and manage food at ports, extended delivery points and final distribution points with a view to improving storage practices and minimizing losses.

To conclude, CS and women have the potential to contribute significantly to any food aid policy identified to address the problem of famine in Africa. And for policies to be successfully implemented and goals met, CS and women in particular should be encouraged to participate in the efforts.

2. How do you think you can move from emergency food aid to real development for the affected people?

Answer: Achieving sustainable long-term development that reduces the need for emergency food aid is a complex process that requires a coordinated approach by national governments, many UN agencies, donors and national civil society. WFP recognizes that its food aid programs are only one part of this process, which explains why we are active participants in the established UN coordination bodies (particularly the IASC, UNDG, and ECHA) that seek to ensure a successful transition from relief to development. People need one of two things to move from relief to sustainable development –the assets necessary to produce for themselves the food they need, or income-generating opportunities that allow them to purchase sufficient food. WFP food-for-training, school feeding, and food-for-work activities can help people obtain assets they need to meet their own food needs. But much more is needed than what WFP alone can provide. The ingredients of sustainable development are well known – peace, good governance, and access for the poor to health, education, and income-generating opportunities. The question remains whether states are willing to commit the resources and political will necessary to put these ingredients into place.

QUESTION FROM THE SYRIAN ARAB REPUBLIC

1. What policies are WFP following in the field of school feeding in Africa, so that children do not resort to illegal activities in order to achieve a livelihood? Are there awareness activities for children, particularly for little girls, in addition to providing them with necessary feeding?

Answer: There is little question but that education is a key deterrent to illegal activities undertaken for the purpose of earning a livelihood. An individual who has an education has more options for earning a living legally than an illiterate individual. The educated individual also has more knowledge of the consequences of illegal activities.

The World Food Programme's school feeding activities have focused primarily on providing food to enable poor children to attend school. The food is provided either in the form of in-school meals or as take-home rations. In addition to motivating children to attend school, nutritious in-school meals or snacks (such as high-energy biscuits) serve to reduce the children's hunger and increase their ability to concentrate and learn. Take-home rations serve as a reward for good attendance and as an economic incentive for families to offset the loss of the child's labor at home or in income-earning jobs. Take-home rations have been particularly effective for increasing girls' attendance and reducing drop-out rates.

In particularly difficult cases such as those involving orphans, child soldiers, and child laborers, we recommend a combination of both of these interventions--food in school to be sure that the child has at least one nutritious meal a day, and food for the family or foster family to help compensate the household for the child being in school rather than employed at home or elsewhere.

Because the food aid is not always enough to curtail illegal activities involving children that plague impoverished communities (such child labor, prostitution, theft, and child soldiering), and because girls are at special risk of being exploited, WFP has begun to work with its partners to identify and implement solutions. For example, WFP is working with UNICEF and UNESCO to discourage child labor and encourage education through the dissemination of appropriate public information messages and working with national and local governments to establish enforce relevant policies.

Girls who attend school may be at increased risk of sexual or other forms of harassment, abuse, or discrimination when en route to school or in school itself. To address this issue, WFP has called on its country offices, UNICEF and non-governmental organizations to identify where protection strategies have been used and to learn from those experiences. When effective interventions are identified, WFP will encourage other countries to implement similar actions.

QUESTION FROM THE RUSSIAN FEDERATION

How, in addition, to providing humanitarian assistance by way of food, can WFP help resolve these key problems that Africa is facing? I understand that WFP alone cannot solve this problem, and that efforts of all international organizations and donors will have to be used. It is exceptionally important to coordinate international assistance, and I think a role here can be played by the Economic and Social Council, which was set up to provide this type of coordination.

Answer: WFP's mandate is food assistance, so its contributions to Africa's development will necessarily be through programs where food aid can make a difference. WFP has nonetheless tried to think of creative ways to use food aid to support African development, such as the proposed expansion of school feeding in Africa under NEPAD. WFP strongly agrees that a coordinated response from the different UN agencies and member states is critical to achieving results in addressing the issues facing Africa. We would support the Russian Federation's suggestion that ECOSOC could play a valuable role if it promoted more effective action by agencies and governments to support NEPAD, Africa's own partnership for development. It is important, however, to keep in mind that coordination is a means to an end, not an end in itself. The goal is helping poor and hungry people. Thus, the standard by which to judge the usefulness of every international coordination process is how much does it contribute to effective delivery of goods and services to the hungry poor, where they live.

QUESTION FROM BULGARIA

What type of cooperation exists between WFP and the joint UN Programme on HIV/AIDS, or UNAIDS?

Answer: WFP works closely with the UNAIDS co-sponsors in countries where HIV/AIDS activities are integrated into WFP activities. WFP and UNAIDS cooperation is particularly important in the current situation in southern Africa, where HIV/AIDS is a central contributing factor to the on-going food crisis. In many countries, WFP is an active participant in the Extended UNAIDS Theme Group on HIV/AIDS. Additionally, UNAIDS Country Teams, and in particular UNAIDS Country Programme Advisers, provide WFP with technical support on project formulation and partnership building at national level. Country Teams also assist WFP in advocating food security as a priority in National AIDS Strategies. Finally, WFP has consulted closely with UNAIDS in preparing a WFP policy paper on HIV/AIDS for consideration at the next WFP Executive Board meeting in February 2003.

QUESTION FROM CAMEROON

What can be done in order to reduce the heavy dependence in terms of resource contributions to WFP from a few to a large number of member states?

Answer: A strategic priority for WFP is to diversify its donor base. Through improved communication and resource mobilisation efforts, WFP hopes to retain and expand support from existing donors, develop relations with emerging donors, and explore possibilities for private sector contributions.

United Nations S/2002/1393

Security Council

Distr.: General
20 December 2002

Original: English

Progress report of the Secretary-General on Ethiopia and Eritrea

I. Introduction

1. The present report is submitted pursuant to paragraph 12 of Security Council resolution 1320 (2000) of 15 September 2000. It provides an update on developments since my report of 30 August 2002 (S/2002/977) and describes the deployment and activities of the United Nations Mission in Ethiopia and Eritrea (UNMEE), whose mandate was extended until 15 March 2003 by Security Council resolution 1434 (2002) of 6 September 2002. The report includes an update on UNMEE activities related to the provision of assistance to the Eritrea-Ethiopia Boundary Commission, as mandated by the relevant Council resolutions, with a view to facilitating the work of the Commission in demarcating the border.

II. Status of the Temporary Security Zone and adjacent areas

2. During the period under review, the situation in the Temporary Security Zone remained generally calm. The armed forces of Ethiopia and Eritrea cooperated relatively well with UNMEE, and no significant military activities were observed on either side of the Zone. However, during September and October, a series of cross-border incidents occurred in Sector Centre, involving cattle-rustling, abductions and clashes over grazing land between residents in the border areas. On some occasions, the situation became very tense, culminating in an incident that occurred on 4 October in which Ethiopian militia and villagers threatened the safety and security of UNMEE peacekeepers. That incident in particular raised serious concern on the part of both my Special Representative and myself.

3. While cross-border harassment and cattle-rustling are essentially beyond the scope of the Mission's mandate, they could have a destabilizing effect and therefore have implications for the overall peace process. Consequently, my Special Representative engaged senior officials on both sides, encouraging them to find a solution to the problem of cross-border incidents. Through the active involvement of UNMEE and the cooperation of the parties, the situation has been relatively stabilized. UNMEE has intensified its patrols in the areas of concern and is in close contact with local administrators so as to prevent future incidents.

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Freedom of movement of the Mission

4. UNMEE personnel continue to be subjected to immigration formalities by the Ethiopian authorities at the airport in Addis Ababa. Such procedures cause delays and constitute a violation of the status-of-forces agreement. On the Eritrean side, UNMEE personnel still experience some restrictions on their freedom of movement in the area adjacent to the Temporary Security Zone, primarily in Sector Centre.

5. Regrettably, there has still been no progress regarding the establishment of a direct high-altitude flight route for UNMEE aircraft between Asmara and Addis Ababa. In the absence of an agreed direct route, UNMEE has continued to fly between the two capitals via Djibouti, with serious operational and security implications for the Mission. The flight deviations have also resulted in considerable additional expense, totalling $2,002,000 as at 31 December 2002. Given the advanced stage of the peace process, I once again appeal to the parties to resolve this issue in a spirit of compromise.

Military Coordination Commission

6. After a seven-month interlude, the fourteenth meeting of the Military Coordination Commission was held on 11 December, in Nairobi. The meeting was opened by my Special Representative, who introduced the new Force Commander, Major General Robert Gordon. My Special Representative also underscored the importance of the new phase of the peace process, which should centre on the demarcation of the border, and called on the Military Coordination Commission to take up its supporting responsibility in that regard. The Commission reviewed the military situation in the Mission area, as well as the texts of the recent Security Council resolutions. It also discussed issues of coordination related to preventing and responding to potentially disruptive incidents in the border areas and inside the Temporary Security Zone. The Commission furthermore began discussing the modalities for the process of demining in support of demarcation.

Deployment of the Mission

7. During the period under review, there have been no major changes in the deployment of UNMEE. However, I have been informed by the Government of Italy that, owing to other requirements, the Italian aviation unit serving in UNMEE will be withdrawn effective 8 December this year. As at 10 December, the total strength of the military component of UNMEE stood at 4,140 personnel, comprising 3,805 troops, 128 headquarters staff officers and 207 military observers (see annex II).

8. On 31 October, Major General Robert Gordon (United Kingdom of Great Britain and Northern Ireland) assumed his functions as the new Force Commander of UNMEE. In this connection, I would like to express my appreciation to Major-General Patrick C. Cammaert, who served as UNMEE Force Commander with distinction throughout his two-year tour of duty.

III. Eritrea-Ethiopia Boundary Commission

9. In preparation for the demarcation process, the Boundary Commission met with the parties in London on 6 and 7 November to discuss issues related to demarcation, including the transfer of territorial control. My Special Representative attended as an observer. At the meeting, the Commission promulgated a time frame for demarcation activities spanning the period from 31 December 2002 to 31 August 2003, with actual demarcation commencing in May 2003. The Commission also issued determinations regarding Ethiopian settlements across the delimitation line (S/2002/1245). I renew my appeal to the parties to avoid any activities in the border area that could be perceived as destabilizing. Additional information on the recent work of the Commission as well as its plans for demarcation, provided by its President, is contained in annex I.

10. In view of the progress made in preparation for demarcation, as well as the decision of the Security Council in its resolution 1434 (2002) to review any implications for UNMEE with regard to the process of territorial transfers during demarcation, my Special Representative has initiated discussions with the parties in the context of article 4.16 of the Algiers Peace Agreement of 12 December 2000. The Council will recall that in that article, the parties requested the United Nations to facilitate resolution of problems which may arise due to the transfer of territorial control, including the consequences for individuals residing in previously disputed territory.

11. Following the adjustment of the UNMEE mandate under resolution 1430 (2002) of 14 August, the Mission has been assisting the Boundary Commission in the implementation of its delimitation decision (S/2002/423, annex). While the Boundary Commission is working to finalize the maps on which demarcation will be based, the UNMEE Mine-Action Coordination Centre has been refining plans for mine clearance in key border areas, including potential access routes to possible boundary pillar sites. The Mission has also been providing office accommodation, communications equipment and other logistical support for the Boundary Commission's field offices in Addis Ababa, Adigrat and Asmara.

12. As stated in my previous report, UNMEE will provide demining services to support demarcation within its existing authorized strength, while costs related to civilian demining contractors and the provision of administrative and logistical support to the field offices of the Boundary Commission will be funded from the United Nations Trust Fund for the Delimitation and Demarcation of the Border. Voluntary contributions and pledges to the Trust Fund currently total some $8.4 million. Anticipated expenditures incurred as at 31 December 2002 will be about $4.4 million.

13. I would like to renew my appreciation to those Member States which have responded generously to my appeal for contributions to the Fund. However, according to the report of the President of the Boundary Commission, the cost required to complete the demarcation for the next year is estimated to be about $7.6 million, which will cause a shortfall of about $4.6 million. In this respect, I would like to repeat my appeal for further contributions so that the demarcation can be successfully completed as planned by the Commission without any suspension due to lack of funding.

IV. Mine action

14. Landmines and unexploded ordnance remain a major threat to the population of the two countries, to United Nations staff and to humanitarian personnel operating on the ground. From September to early November 2002, six civilians were injured and two killed in four incidents involving mines and unexploded ordnance in the Temporary Security Zone and its adjacent areas.

15. Following the establishment of the Eritrean Demining Agency, mentioned in my previous report, Eritrea assumed all responsibility for humanitarian demining in the country on 31 August. Following instructions by the Government, three international civil society organizations involved in mine-action activities have ceased their operations on the ground and have left the country. (One such organization and one commercial company have been permitted to continue operations.) All national mine-action assets have also temporarily ceased operations. These events have led to the loss of humanitarian mine-action capacity in the Temporary Security Zone and adjacent areas, impeding preparations on the ground for the return of internally displaced persons to their homes in the Zone. Since no mine-risk education activities are taking place in the Zone, the United Nations Mine Action Coordination Centre is implementing an emergency mine-risk education operation to fill the gap.

16. In view of the new circumstances, the United Nations Mine Action Coordination Centre has developed a revised work plan, restructuring the current mine action elements within the Centre and UNMEE as a whole. The plan focuses on providing support to the UNMEE force and military observers in the Temporary Security Zone, as mandated by the Security Council, while maintaining the capacity to continue to provide support to the coordination of humanitarian mine-action activities in the Zone. Increasingly, the focus of UNMEE will be on mine-action activities associated with the demarcation of the border. Meanwhile, good progress continued to be made in clearing all routes in the Temporary Security Zone of mines and unexploded ordnance. On average, 20 kilometres are surveyed and 10 kilometres are cleared every day.

V. Humanitarian developments

17. The drought in Ethiopia and Eritrea has taken a serious turn, and its effects on the population are of utmost concern to me and to the Governments of Ethiopia and Eritrea, as well as to the humanitarian community. In October, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator visited the Horn of Africa to assess the effects of the drought and the overall humanitarian situation. Upon his return, he shared with me his conclusion that the drought in both countries was dire and that urgent steps needed to be taken to avert an outright famine.

18. Drought and erratic rainfall have already led to massive crop failure and livestock losses in both countries. Several regions, traditionally self-sufficient in terms of food, have experienced almost complete devastation of cereal production in 2002. Similarly, the lack of water has destroyed herds that were just recovering from the last drought, in 1999 and 2000.

19. In Eritrea, the Government has reported that 1.4 million people have been directly affected by the drought, in addition to the thousands who are still struggling to recover from the border conflict. Among these, internally displaced persons, refugees, expellees, vulnerable urban-dwellers, those affected by HIV/AIDS and soldiers awaiting demobilization are the more notable groups. The number of people currently considered to be vulnerable has increased from 1.36 million in 2001/02 to an estimated 2.3 million in 2002/03. Whereas the immediate cause of the crisis in Eritrea is the failure of seasonal rains, basic vulnerability and underlying structural causes should be considered. There is a general consensus on the need to simultaneously support emergency relief programmes and longer-term development efforts in order to break the cycle of starvation due to drought.

20. In Ethiopia, up to 14 million drought-affected persons could be in need of assistance, mainly food aid, in a worst-case scenario for 2003. It is estimated that over 300,000 metric tons will be required in the first quarter of 2003. Currently, more than 6 million people are in need of food aid, according to Government and international assessments. Despite contributions from major donors this fall, the national food reserve stands at 51 per cent of requirements. The drought has affected mainly the eastern half of Ethiopia, as well as certain surplus agricultural areas, unlike in previous years. In regional states bordering Eritrea, such as Tigray and Afar, which are among the hardest hit, competition over resources could escalate local tensions.

21. As regards the fight against the HIV/AIDS scourge, UNMEE has continued its efforts within the mission area and has been organizing joint "training of trainers" courses in both countries. These courses in HIV/AIDS peer leadership remain the most effective way of reaching a large number of people within a short period of time. The parties are cooperating very well in this important area.

22. The programme of quick-impact projects continued during the period under review, with activities undertaken in the areas of water, sanitation, reconstruction, education and health. From the roughly $900,000 available to UNMEE for these projects since the Mission's inception, 32 have been completed, 28 are nearing completion and 10 are still being implemented. Since my previous report, more than 70 new proposals have been received from various implementing partners, which now await funding. While I am grateful for the contributions and pledges made by various governments, rehabilitation needs in the Temporary Security Zone and adjacent areas remain great, and additional funding is required in order for these essential projects to continue.

VI. Human rights

23. The repatriation of civilians by both Ethiopia and Eritrea continued, under the auspices of the International Committee of the Red Cross (ICRC). Eritrea repatriated 346 persons of Ethiopian origin during the reporting period, bringing the total number of persons repatriated in 2002 to 1,048. Ethiopia has repatriated 528 persons of Eritrean origin during the course of 2002. According to information collected by UNMEE, persons of both nationalities continued to complain of economic hardship in the other country, particularly their inability to find work as a result of discrimination on the basis of nationality. Meanwhile, UNMEE continued to

investigate reports of cross-border abductions of civilians, some of which appeared to have been the result of disputes over local grazing lands.

24. I am very pleased to report that, in accordance with the Geneva Conventions and the Algiers Peace Agreement, Ethiopia has now released the last Eritrean detainees who had been registered and regularly visited by ICRC. Among those, 1,130 prisoners of war and 95 civilian internees returned to Eritrea on 29 November under the auspices of ICRC. As members of the Council will recall, Eritrea in August of this year released the last 279 prisoners of war who had been registered by ICRC. Since the beginning of the conflict in 1998, no fewer than 1,067 Ethiopian prisoners of war, 5,055 Ethiopian civilian internees, 2,067 Eritrean prisoners of war and 1,086 Eritrean civilian internees have been repatriated under the auspices of ICRC. The end of the ordeal for all these individuals concludes an important chapter in the peace process, and will hopefully also contribute to the normalization of relations between the two countries.

VII. Public information

25. The UNMEE Public Information Office has continued to report on developments in the peace process, publicizing and explaining the Mission's mandate, and to cover high-profile events such as the joint celebration of the International Day of Peace in both countries by UNMEE and the United Nations country teams. On United Nations Day, as a demonstration of the coordinated United Nations presence in the mission area and the linkage between peace and development, my Special Representative and the resident coordinator in Ethiopia gave a joint interview on Ethiopian television, which received wide regional coverage. The Office also maintained its series of weekly press briefings via videoconference linking the two capitals. Outreach centres were opened in Mekelle, Ethiopia, and Barentu, Eritrea, on 9 and 12 December respectively. The Television Unit has initiated a series of video clips for local cinemas.

26. Radio UNMEE continues its biweekly short-wave broadcasts, as well as its weekly broadcasts on Radio Eritrea. There has been no further progress in obtaining access to the airwaves of Ethiopia free of charge. The Ethiopian Broadcasting Authority has, however, expressed its willingness to air UNMEE programmes at a cost of approximately $54,419 per year. The Minister of Information has also recently expressed willingness to explore this issue further in the light of the Broadcasting Authority's plans to expand its programming.

VIII. Financial aspects

27. The General Assembly, by its resolution 56/250 B of 27 June 2002, appropriated the amount of $230,845,300 gross for the maintenance of UNMEE for the financial period from 1 July 2002 to 30 June 2003. As at 31 October 2002, unpaid assessed contributions to the special account for UNMEE amounted to $73,734,347. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1,652,208,793.

IX. Observations

28. Despite occasional difficulties and delays, the peace process between Ethiopia and Eritrea has progressed steadily since the Agreement on Cessation of Hostilities (S/2000/601, annex) was signed in June 2000. This progress was most recently exemplified by the release by Ethiopia of all remaining Eritrean prisoners of war registered by ICRC, which brought that chapter of the peace process to a conclusion. I am also encouraged by the fact that there have been no ceasefire violations since the establishment of the Temporary Security Zone. I hope that these achievements, which are a credit to the parties, will be carried forward. The peace process is now about to enter the crucial phase of border demarcation.

29. During this challenging phase, it will be vital that the parties continue to extend to UNMEE and the Boundary Commission their full cooperation. Inevitably, the demarcation of any border has legal, humanitarian and human rights implications; these will require immediate attention for the sake of the people who will be affected by the transfer of territorial control. In this connection, it is essential that the two parties engage in discussions with my Special Representative to address any issues that might arise with a view to reaching agreement on their resolution.

30. Despite repeated requests by the Security Council, my Special Representative and myself, the Government of Eritrea has still not signed the status-of-forces agreement with the United Nations. I appeal once again to the Eritrean leadership to conclude this important agreement without further delay. Meanwhile, in accordance with resolution 1320 (2000), the model status-of-forces agreement is in effect. It should be recalled that the Government of Ethiopia signed a status-of-forces agreement in March 2001.

31. The period ahead will also require, perhaps more than ever, that the two parties, as well as the Boundary Commission and UNMEE, continue to enjoy the full political and financial support of the international community. The Trust Fund for the Delimitation and Demarcation of the Border will be depleted quickly once demarcation begins, despite the significant contributions received so far. While the parties are expected to bear the burden of delimitation and demarcation expenditures equally, it is clear that without international assistance the process could face serious delays. I would therefore like to renew my appeal to the donor community to contribute to the Fund in order to facilitate the conclusion of the demarcation process in accordance with the Boundary Commission's schedule.

32. While the overall situation in the Temporary Security Zone and the adjacent areas has remained generally calm, the recent cross-border incidents have revealed a new dimension of the conflict between the two neighbouring countries, namely, the local competition for scarce resources in the drought-affected border areas. The efforts made by the parties to resolve these incidents through peaceful means are welcome, and I urge them to do their utmost to prevent a recurrence. As always, my Special Representative is prepared to assist the parties in this regard. In the same vein, UNMEE continues to stand ready to provide assistance for any measures that are aimed at building confidence and contributing to the normalization of relations between Ethiopia and Eritrea.

33. The looming drought in the Horn of Africa, and particularly in Eritrea and Ethiopia, is a source of deep concern to me and to the leaders of the two countries, as well as to the international community as a whole. Given the urgent need to

provide large quantities of food and other forms of assistance in order to avert a major emergency in 2003, I appeal to Member States to provide prompt and generous support for humanitarian operations in Eritrea and Ethiopia through the consolidated appeals process and other mechanisms, in order to avert further suffering and loss of life.

34. In conclusion, I wish to express my gratitude to my Special Representative, Legwaila Joseph Legwaila, and the military and civilian personnel of UNMEE for their tireless efforts to support the peace process. I am also grateful to the staff of the United Nations country teams and other humanitarian workers operating on the ground for their excellent cooperation with UNMEE, and especially for their assistance to the people of the two countries, whose recovery from conflict has been rendered even more difficult by the serious drought in the region. I would also like to express my appreciation to the Boundary Commission, which has been hard at work in its preparations for the demarcation of the border. The period ahead will pose major challenges, but I have no doubt that with the cooperation of the parties and the continued and invaluable support of the African Union and interested Member States, including troop-contributing countries, the peace process will reach a successful conclusion.

Annex I

Seventh report of the Eritrea-Ethiopia Boundary Commission

1. This is the seventh report of the Eritrea-Ethiopia Boundary Commission, covering the period from 1 September to 30 November 2002.

2. During this period the Commission, the Special Consultant, the Office of the Secretary and the field offices in Eritrea and Ethiopia ("the area") have been engaged in preparing the 1:25,000 scale maps in order to be in a position to proceed with the determination of the location of the boundary markers and to begin the work of erecting them. With the cooperation of the parties, significant progress has been made, and all the field work necessary for the production of these maps has been completed.

3. At the beginning of the period, the Special Consultant prepared a statement of operations already performed and a statement and schedule of operations to be performed, upon which the parties were given the opportunity to comment. Since September, the Special Consultant has provided the parties with monthly progress reports on the schedule of operations.

4. As required by the demarcation directions promulgated on 8 July 2002, the parties have designated their liaison representatives and field liaison officers. The Special Consultant, together with the Chief Surveyor and the Deputy Secretary, started regular liaison meetings with the parties' liaison representatives in each capital. Regular contact is maintained between the field office staff and the liaison representatives and field liaison officers for the purposes of providing the parties with information about planned operations and of making necessary arrangements in connection therewith. The field liaison officers of both parties accompanied the field office staff as observers in their field work.

5. The Secretary and his deputy visited the area between 26 October and 2 November 2002. In preparation for a review of the orthophoto maps, they conducted a familiarization flight along the boundary, including a stopover at Adigrat, to inspect the new field office located there.

6. The Special Consultant, Secretary and Chief Surveyor held meetings in Addis Ababa on 28 October and in Asmara on 31 October with representatives of each party to discuss the schedule of operations and other technical matters. Minutes of each meeting were provided to both parties and to the Commission.

7. On 6 and 7 November, the Commission met in London with representatives of the parties to discuss the timeline for, and certain technical details of, the demarcation. The Secretary, Registrar and Special Consultant also attended, as did representatives of the African Union, the Department of Peacekeeping Operations and the United Nations Mission in Ethiopia and Eritrea, including the Special Representative of the Secretary-General, as observers.

8. In response to certain questions that had arisen concerning the scope of the Commission's jurisdiction and powers and compliance with the Commission's order of 17 July 2002, the Commission issued, on 7 November, a document entitled "Determinations", which was transmitted to the United Nations and the African Union for publication (see S/2002/1245).

9. Following consultation with the parties in accordance with article 30 of the Commission's Rules of Procedure, the Commission issued, on 13 November, an amendment to the demarcation directions of 8 July, replacing paragraph 8D with new text requiring each party to ensure, within the area under its control, the safety of all field office staff and other demarcation personnel, and to inform the local government officers and population in advance of the activities of such persons.

10. On 25 November, the Secretary transmitted to the parties the 1:25,000 scale orthophoto maps of the Western Sector. The remaining maps are expected to be provided to the parties before the end of the year, and the parties will have an opportunity to make technical comments thereon no later than 17 January 2003. Taking such comments into consideration, the Commission plans to conduct a detailed field assessment of the boundary pillar locations and to start the actual placement of the boundary pillars in mid-May. Pillar emplacement and as-built survey work is scheduled to be completed in 2003 on a sector-by-sector basis, as follows: Western Sector (end of June), Central Sector (end of July) and Eastern Sector (end of August). Within approximately one month after the completion of each sector, the Commission will issue to the parties the final map of that sector, together with a copy of the relevant pages of the register recording the final location of each pillar. Receipt of final documentation from the survey contractor and the preparation of a small-scale index map is scheduled for completion by mid-October 2003.

11. UNMEE continues to provide logistical and transport services, including accommodation for the demarcation contractors. Preparatory work has already been undertaken with respect to the demining of pillar sites. In this connection, and in view of Security Council resolutions, there is frequent consultation between the field office staff and UNMEE personnel, as well as between the President of the Commission and the Special Representative of the Secretary-General. The Commission expresses its continued appreciation for the help that it receives from UNMEE.

12. The Secretary is presently preparing a budget for demarcation operations in the first half of 2003. Even now, it appears that additional contributions to the Trust Fund need to be made very soon if interruption of these operations is to be avoided. This is because the estimated cost of finishing the demarcation in 2003 is approximately $7.6 million, whereas the current balance of the Trust Fund is only $3 million, and this will be exhausted early in 2003. An additional $4.6 million is urgently needed during the first quarter of next year to ensure the progress of the demarcation. The Commission therefore requests the Secretary-General to draw the attention of all United Nations Member States to the pressing need for further contributions as soon as possible.

(*Signed*) Sir Elihu **Lauterpacht**
President of the Commission
10 December 2002

Annex II

United Nations Mission in Ethiopia and Eritrea: contributions as at 10 December 2002

Country	*Military observers*	*Staff*	*Troops*	*Total*	*National support elements*
Algeria	8			8	
Australia		2		2	
Austria	2			2	
Bangladesh	7	6	159	172	
Benin	0	3		3	
Bosnia and Herzegovina	9			9	
Bulgaria	5	2		7	
Canada	6			6	
China	5			5	
Croatia	5			5	
Czech Republic	2			2	
Denmark	4			4	
Finland	7	2		9	
France		2		2	
Gambia	4	2		6	
Ghana	10	7		17	
Greece	3			3	
India	2	21	1 521	1 544	
Iran (Islamic Republic of)	2			2	
Ireland		12	203	215	7
Italy	3	6	109	118	
Jordan	6	16	943	965	
Kenya	11	13	640	664	
Malaysia	6	5		11	
Namibia	3	2		5	
Nepal	4			4	
Netherlands	1			1	
Nigeria	6	4		10	
Norway	5			5	
Paraguay	2			2	
Peru	2			2	
Poland	6			6	
Romania	8			8	
Russian Federation	6			6	
Singapore	2			2	

Country	*Military observers*	*Staff*	*Troops*	*Total*	*National support elements*
Slovakia		3	202	205	5
South Africa	5	2		7	
Spain	3	2		5	
Sweden	6			6	
Switzerland	4			4	
Tunisia	2	3		5	
Ukraine	6			6	
United Kingdom	1	2			
United Republic of Tanzania	8	3		11	
United States of America	6	1		7	
Uruguay	4			4	
Zambia	10	4		14	
Total	**207**	**128**	**3 805**	**4 140**	**12**

United Nations S/2002/1394

Security Council

Distr.: General
20 December 2002

Original: English

Letter dated 20 December 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia, containing an account of the Committee's activities from 1 January to 20 December 2002. The report, which was adopted by the Committee on 18 December 2002, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) Kishore **Mahbubani**
Chairman
Security Council Committee established pursuant to
resolution 1343 (2001) concerning Liberia

02-75570 (E) 020103

Annex

Report of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia covers the period from 1 January to 20 December 2002.

2. A report of the Committee covering its activities from March to December 2001 was submitted to the Security Council on 18 January 2002 (S/2002/83).

3. The Bureau consisted of Ambassador Kishore Mahbubani (Singapore) as Chairman, with the delegations of Mauritius and the Syrian Arab Republic providing the Vice-Chairmen. During this period, the Committee held seven formal meetings in addition to informal consultations.

II. Background information and summary of the work of the Committee

A. Background information

4. By paragraph 5 of its resolution 1408 (2002), adopted on 6 May 2002, the Security Council decided that the arms embargo and the diamond and travel bans imposed by the Council in paragraphs 5 to 7 of its resolution 1343 (2001) would remain in force for a further period of 12 months.

5. In paragraph 13 of resolution 1408 (2002), the Security Council requested the Committee established pursuant to paragraph 14 of resolution 1343 (2001) to carry out the tasks set out in resolution 1408 (2002) and to continue with its mandate as set out in resolution 1343 (2001).

6. By paragraphs 3 and 4 of its resolution 1395 (2002) of 27 February 2002, the Security Council decided to re-establish the Panel of Experts appointed pursuant to paragraph 19 of resolution 1343 (2001) for a further period of five weeks to conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a brief independent audit of the Government of Liberia's compliance with paragraph 2 and of any violations of paragraphs 5 to 7 of resolution 1343 (2001). The Panel was to report with its observations and recommendations to the Council through the Committee no later than 8 April 2002.[1] The Panel commenced work on 12 March 2002 and issued its report on 19 April 2002 (S/2002/470).

7. In paragraph 16 of resolution 1408 (2002), the Security Council requested the Secretary-General to re-establish the Panel of Experts for a period of three months to conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the Government of Liberia's compliance with the demands set out in paragraph 2 (a) to (d) of resolution 1343 (2001), on the potential economic, humanitarian and social impact on the Liberian population of the measures imposed under paragraphs 5 to 7 of the same resolution, and on any violations thereof, including any involving rebel movements. The Panel was to

report with its observations and recommendations to the Council through the Committee no later than 7 October 2002.[2] The Panel commenced work on 15 July 2002 and issued its report on 25 October 2002 (S/2002/1115).

B. Summary of the activities of the Committee

8. During the reporting period, the Committee received 29 notifications of travel under paragraph 7 (a) of resolution 1343 (2001), extended by paragraph 5 of resolution 1408 (2002), and considered 54 requests for travel ban waivers under paragraph 7 (b) of resolution 1343 (2001), extended by paragraph 5 of resolution 1408 (2002), of which 24 were granted. It should be noted, however, that 2 of the 54 requests were still being considered by the Committee at the time of adoption of the present report. The Committee's decision on those two requests will be reflected in the next annual report. The Committee has yet to receive any request for exemption of non-lethal military equipment under paragraph 5 (c) of resolution 1343 (2001).

9. The Committee conducted reviews of the travel ban list on four separate occasions, namely on 11 March, 9 July, 4 September and 31 October 2002, during which it considered 19 requests for names to be deleted from or added to the list. The Committee decided to retain the names of 17 persons, to remove the names of 13 persons, and to add the name of 1 individual. The travel ban list was reissued on 4 December 2002.[3]

10. The Committee has had detailed discussions on but has not yet been able to adopt guidelines for the conduct of its work as mandated under paragraph 14 (c) of resolution 1343 (2001). However, this has not deterred the Committee from discharging its mandate effectively, nor has it prevented it from accomplishing much of what it set out to achieve. In this connection, it should be noted that, on 2 July 2002, the Committee agreed on standardized procedures for applying for exemptions from the travel restrictions contained in paragraph 7 (a) of resolution 1343 (2001). Those procedures were subsequently transmitted to the Permanent Mission of Liberia to the United Nations and to the United Nations Peace-building Support Office in Liberia, and were also published on the Committee's web site.[4]

11. Pursuant to paragraph 18 of resolution 1343 (2001), under which States are requested to report to the Committee, within 30 days of the promulgation of the travel ban list, on the actions they have taken to implement the measures imposed by paragraphs 5 to 7 of the resolution, 48 replies have been received from States to date in response to the Committee's note verbale of 7 June 2001 and its follow-up note of 27 August 2001. Four replies have been received in response to the Committee's note verbale of 30 May 2002, circulated pursuant to paragraph 15 of resolution 1408 (2002). The total number of replies received by the Committee on action taken to implement the measures imposed by paragraphs 5 to 7 of resolution 1343 (2001), as extended by paragraph 5 of resolution 1408 (2002), is 52. (Replies received from States pursuant to those resolutions during the period under review are listed in the appendix to the present report.)

C. Violations and alleged violations of the sanctions regime

12. Under paragraph 14 (b) of resolution 1343 (2001), the Committee is mandated "to consider, and to take appropriate action on, information brought to its attention

by States concerning alleged violations of the measures imposed by paragraphs 5 to 7 [of resolution 1343 (2001), and extended by paragraph 5 of resolution 1408 (2002)], identifying where possible persons or entities, including vessels or aircraft, reported to be engaged in such violations, and to make periodic reports to the Council".

13. During the reporting period, the Committee has received no information from States concerning violations of the sanctions regime. Any information in that regard has come to its attention through the reports of the Panel of Experts pursuant to paragraph 19 of resolution 1343 (2001);[5] paragraph 4 of resolution 1395 (2002);[6] and paragraph 16 of resolution 1408 (2002).[7] At its 9th, 11th and 13th meetings, on 12 December 2001, 11 March and 9 July 2002 respectively, the Committee requested the Chairman to address letters seeking information from States alleged in the first[5] of the above-mentioned reports of the Panel of Experts to have violated the sanctions regime. A total of 16 letters were sent to specific countries seeking more information on the alleged violations. Responses were received from Belgium, Burkina Faso, Canada, Ghana, Guinea, Israel, Liberia, the Libyan Arab Jamahiriya and the Netherlands. To date, no responses have been received from Congo, Côte d'Ivoire, Lebanon, Sierra Leone or the United States of America. However, this does not include any response which these countries may have made to the Panel, either verbally or in writing, when the Panel was constituted.

14. Under paragraph 14 of resolution 1408 (2002), the Committee was requested to consider and take appropriate action on information brought to its attention concerning any alleged violations of the measures imposed by paragraph 8 of Security Council resolution 788 (1992) of 19 November 1992 while that resolution was in force. (A number of such alleged violations were detailed in the 25 October 2002 report of the Panel of Experts (S/2001/1015).) On 1 August 2002, the Committee requested the Chairman to address letters seeking information from States alleged to have violated the sanctions regime. A total of 10 letters were sent to specific countries seeking more information on the alleged violations. To date, the Committee has received responses from the Republic of Moldova and the Russian Federation. No responses have been received from Burkina Faso, Côte d'Ivoire (two separate letters addressed), Georgia, Kyrgyzstan, the Niger, Singapore or Ukraine. However, this does not include any response which these countries may have made to the Panel, either verbally or in writing, when the Panel was constituted.

15. The report submitted by the Panel on 19 April 2002 (S/2002/470) was discussed by the Committee on the same date and by the Security Council on 3 May 2002. As with previous reports, the Committee requested the Chairman to address letters seeking information from States alleged in the current report to have violated the sanctions regime. A total of four letters were sent to specific countries (Côte d'Ivoire, Gambia, Guinea and Sierra Leone). To date, responses have been received from Sierra Leone and Guinea. The most recent report of the Panel (S/2002/1115) was discussed by the Committee on 22 and 31 October and on 11 November 2002 and by the Security Council on 25 November 2002. Consequently, a table of violations has been prepared listing the States alleged in the most recent report of the Panel of Experts to have violated the sanctions regime and their alleged violations. I will inform the incoming Chairman to follow up on the issuance of the letters accordingly.

16. On 12 March 2002, the Chairman addressed a letter to the Permanent Representative of Slovakia to the United Nations, expressing the Committee's appreciation for the receipt of a letter dated 5 February 2002 conveying the latest developments regarding the seizure by Slovak customs authorities, in February 2001, of a helicopter gunship believed to be destined for Liberia. The Chairman also informed the Permanent Representative that the Committee had taken account of the measures adopted by Slovakia to strengthen its domestic legislation in order to eliminate the risk of further attempts to violate Security Council sanctions, and to ensure full compliance with such measures.

17. On 10 May 2002, the Chairman addressed a letter to the Permanent Representative of Belgium to the United Nations, thanking him on behalf of the members for his note verbale of 5 March 2002 conveying information pertaining to actions taken by the Government of Belgium in the fight against serious crime, and including information relevant to the work of the Committee in connection with the reports of the Panel of Experts (S/2001/1015 and S/2002/470).

18. The Committee also received a letter from the Government of Liberia, dated 7 June 2002, seeking the Committee's assistance in approaching the High Diamond Council to render technical assistance to the Government of Liberia to set up the Certificate of Origin regime. In response, the Chairman addressed a letter to the Minister for Foreign Affairs of Liberia, dated 11 July 2002, communicating that there was no necessity for such a specific request and drawing attention to paragraph 9 of Security Council resolution 1408 (2002), in which the Council called upon States, relevant international organizations and other bodies in a position to do so to offer assistance to the Government of Liberia and other diamond-exporting countries in West Africa with their Certificate of Origin regimes.

19. In paragraph 10 of resolution 1408 (2002), the Security Council called upon the Government of Liberia to take urgent steps to ensure that revenue derived from its shipping registry and timber industry was used for legitimate social, humanitarian and developmental purposes, and to report back to the Committee on the steps taken and the results of the audit on its shipping registry and timber industry no later than 6 August 2002. In that regard, the Committee received a letter dated 7 August 2002 from the Permanent Representative of Liberia forwarding a letter and report concerning the revenue derived from its shipping registry and timber industry dated 2 August 2002 from the Minister for Foreign Affairs of Liberia. The Committee considered the report at its 14th meeting, on 4 September 2002, and decided that the information contained was inadequate, following which the Chairman addressed a reply requesting the Government of Liberia to submit a report which complied with paragraph 10 of resolution 1408 (2002). In response to a letter from the Permanent Representative of Liberia to the United Nations, dated 3 October 2002, attaching a communication from the Minister for Foreign Affairs of Liberia informing the Committee that the Government of Liberia had entered a contract for a management and systems audit with the firm of Deloitte and Touche, the Chairman addressed a letter to the Permanent Representative of Liberia to the United Nations, dated 24 October 2002, reminding the Government of Liberia of its obligations pursuant to paragraph 10 of resolution 1408 (2002). A subsequent letter addressed to the Chairman, dated 15 November 2002, was received from the Permanent Representative of Liberia to the United Nations, attaching a communication from the Minister for Foreign Affairs of Liberia questioning the basis of the Council's demand pursuant to paragraph 10. The President of the

Security Council then made a statement to the press on behalf of the members of the Council on 26 November 2002, through which the Council renewed its call to the Government of Liberia to, inter alia, commission independent audits of its timber and shipping revenues. The Committee subsequently received a note, dated 10 December 2002, from the Chargé d'affaires of the Permanent Mission of Liberia to the United Nations transmitting a letter from Deloitte and Touche addressed to the Minister of Finance of Liberia, notifying him that Deloitte and Touche was terminating the contract for management and systems audit with the Government of Liberia with immediate effect.

Other activities

20. Under the chairmanship of the delegation of Mexico, whose Permanent Representative to the United Nations serves as the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, the Committee participated in five joint informal meetings with the Sierra Leone sanctions committee and the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola. The meetings were held on 24 April, 1, 14 and 17 May and 11 June 2002 and were convened to consider a list of topics for discussion which, the members agreed, might be beneficially explored in a joint forum. The topics included: cooperation with regional organizations; improved monitoring capacity; assistance to third States in implementing sanctions; and shared experiences on committee guidelines and working practices. The committees together received briefings from Ian Smillie, diamond expert and former member of the Panel of Experts on Sierra Leone, and from Ambassador Juan Larrain (Chile), Chairman of the Monitoring Mechanism on Sanctions against the União Nacíonal para a Independência Total de Angola (UNITA), on 17 May and 11 June 2002 respectively. The joint informal meetings were held in accordance with Security Council resolution 1306 (2000) of 5 July 2000, in paragraph 7 (e) of which the Council decided that the Sierra Leone sanctions committee should continue its cooperation with other relevant sanctions committees, in particular those pertaining to Liberia and Angola. Further, resolution 1343 (2001) in paragraph 14 (h), includes, among the tasks of the Liberia sanctions committee, cooperation with other relevant sanctions committees, in particular the Sierra Leone and Angola sanctions committees.

21. On 3 May 2002, the Security Council conducted a third six-month review, as provided in paragraph 23 of resolution 1343 (2001), of the measures contained in paragraphs 5 to 7 of that resolution, as well as of Liberia's compliance with the demands of the Council as stated in paragraph 2 of the resolution. The members of the Council considered the report of the Panel of Experts (S/2002/470), the report of the Secretary-General (S/2002/494) dated 1 May 2002 issued pursuant to paragraph 12 of resolution 1343 (2001), inputs from the Economic Community of West African States (ECOWAS) and relevant information provided by the Committee. The members of the Council also had a discussion on a draft resolution on Liberia. Following consultations, the President of the Council made a statement to the press on behalf of the members. On 6 May 2002, at its 4526th meeting, the Security Council unanimously adopted resolution 1408 (2002), by which it decided to extend the sanctions regime under resolution 1343 (2001) for a further period of 12 months.

22. On 26 November 2002, the Security Council completed its first review under paragraph 20 of resolution 1408 (2002), at which it considered the report of the

Panel of Experts (S/2002/1115), the report of the Secretary-General pursuant to paragraph 11 of the resolution (S/2002/1183) and relevant information provided by the Committee. Following consultations, the President of the Council made a statement to the press on behalf of the members, noting, inter alia, that the members had considered the report of the Panel of Experts on Liberia (S/2002/1115) pursuant to paragraph 16 of resolution 1408 (2002) and the report of the Secretary-General (S/2002/1183) pursuant to paragraph 11 of resolution 1408 (2002). The President further noted that the members of the Council had expressed their concern that the Government of President Taylor continued to violate the sanctions, including by importing arms in breach of the arms embargo, and had not met the Security Council's demands as set out in resolution 1343 (2001). The President also stated that the members had agreed that the Council must remain engaged with Liberia and its people. In that regard, the members had also agreed to elaborate a comprehensive approach to the situation in Liberia and the subregion and reaffirmed their support for regional initiatives, including through the Rabat process, ECOWAS and the recently established International Contact Group, to work towards the restoration of peace and stability in the Mano River Union subregion.

III. Observations

23. In the absence of any continuous monitoring mechanism to ensure the effective implementation of the sanctions regime, the Committee urges all States and organizations in a position to provide it with pertinent information to do so.

Notes

[1] For the membership of the Panel of Experts, see S/2002/237.

[2] For the membership of the Panel of Experts, see S/2002/774.

[3] SC/7570/Rev.1.

[4] www.un.org/Docs/sc/committees/Liberia2/.

[5] S/2001/1015.

[6] S/2002/470.

[7] S/2002/1115.

Appendix

Replies received from States in accordance with paragraph 18 of Security Council resolution 1343 (2001) and paragraph 15 of Security Council resolution 1408 (2002)

State	*Date of report*	*Symbol*
Thailand	20 February 2002	S/AC.39/2002/1
Norway	4 April 2002	S/AC.39/2002/2
Luxembourg	20 June 2002	S/AC.39/2002/3
Germany	18 July 2002 26 July 2002	S/AC.39/2002/4 S/AC.39/2002/4/Add.1
Russian Federation	9 August 2002	S/AC.39/2002/5
Qatar	19 August 2002	S/AC.39/2002/6
Brazil	24 July 2002	S/AC.39/2002/7
Colombia	11 November 2002	S/AC.39/2002/8

United Nations S/2002/1395

Security Council

Distr.: General
20 December 2002

Original: English

Letter dated 20 December 2002 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council to be held today, Friday, 20 December 2002, regarding the situation in the Occupied Palestinian Territory, including Jerusalem.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine
to the United Nations

02-75295 (E) 201202

United Nations A/ES-10/208–S/2002/1396

General Assembly
Security Council

Distr.: General
20 December 2002

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-seventh year

Identical letters dated 20 December 2002 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

It is my profound regret to inform you that, by 18 December 2002, the number of Palestinians killed by the Israeli occupying forces since 28 September 2000 tragically surpassed 2,000 martyrs. These Palestinian martyrs have included men, women, children and the elderly. Indeed, no segment of Palestinian society has been spared the lethal force of this ongoing and bloody Israeli military campaign.

In the countless assaults launched against the Palestinian civilian population, the occupying forces have used all means of heavy weaponry in their vast arsenal and all methods of killing, including extrajudiciary executions. The more than 2,000 martyrs killed by the Israeli occupying forces as of this date, however, do not include the many Palestinians who have died as a result of other practices of the occupying Power, such as those who died because they were prevented from obtaining access to medical care, including the chronically ill and mothers or infants who died during birth at Israeli checkpoints. In addition to this tragic and extensive loss of human life, more than 35,000 Palestinians have been injured as a result of the excessive, indiscriminate and disproportionate force used by the Israeli occupying forces against the civilian population.

The wide range of Israeli crimes and violations committed against the Palestinian people under occupation over the past 27 months has also included frequent and continuing military raids on Palestinian cities, towns, villages and refugee camps. This has involved the abduction and detention of thousands of Palestinians. Currently, there are more than 5,000 Palestinians, mostly males between the ages of 15 and 55, who continue to be held by the occupying Power in prisons or detention centres. Moreover, the destruction incurred by the occupying forces throughout the Occupied Palestinian Territory has been massive. Such wanton destruction and widespread damage of both public and private Palestinian property has included thousands of homes, including refugee shelters, hundreds of vehicles, vital infrastructure, including water, electricity and sewage networks and roads, institutions of the Palestinian Authority, religious and historic sites, and agricultural

02-75276 (E) 201202

land and orchards. The devastation wrought by the occupying forces has severely and negatively impacted all sectors of Palestinian society — economic, social, political, health, educational, religious and cultural. As a result, a dire humanitarian situation continues to prevail in the Occupied Palestinian Territory.

Indeed, Israel, the occupying Power, has not for one day ceased its military campaign of killing and destruction in the Occupied Palestinian Territory. In the week since my last letter, the Israeli occupying forces killed another 12 Palestinians, including and 11-year-old girl, Nada Kamal Madi, killed yesterday as she opened a window in her home in the Rafah refugee camp in Gaza. In addition, dozens more Palestinians were abducted and detained this week by the occupying forces. Moreover, the occupying forces demolished at least 10 Palestinian homes during this same period.

This letter is in follow-up to my previous 149 letters to you regarding the critical situation in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 13 December 2002 (A/ES-10/207-S/2002/1365), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, I regret to inform you that, since my last letter, the Israeli occupying forces have killed at least 12 Palestinians, including children, raising the total number of martyrs to 2,006 Palestinians. (The names of the martyrs that have been identified thus far are contained in the annex to the present letter.)

I would be grateful if you would arrange to have the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestinian
to the United Nations

Annex to the identical letters dated 20 December 2002 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by Israeli occupying forces in the Occupied Palestinian Territory, including Jerusalem* (Saturday, 14 December, to Thursday, 19 December 2002)

Saturday, 14 December 2002

Hamed Sa'eed Khairallah

Sunday, 15 December 2002

Mohammed Ziad Hussein (18 years old) (died from wounds sustained previously)

Monday, 16 December 2002

1. Hassan Farhan Mohammed Shloleh
2. Abdelkarim Rateb Shabat
3. Mohammed Mahmoud Edwan

Tuesday, 17 December 2002

Eid Asa'd Abu Hilal

Wednesday, 18 December 2002

1. Roshdi Mohammed Hussein Hashash
2. Jawad Issam Zidan (16 years old)
3. Ala'a Mohammed Musleh Al-Sododi (15 years old)

Thursday, 19 December 2002

1. Louay Ghazi Hosni Muhsen (1½ years old)
2. Nada Kamal Madi (11 years old)
3. Abdullah Nazmi Abdullah Rabia'a

* The total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 is 2,006.

United Nations S/2002/1397

Security Council

Distr.: General
27 December 2002

Original: English

Bulgaria, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling its previous relevant resolutions, including resolution 661 (1990) of 6 August 1990, 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999, 1352 (2001) of 1 June 2001, 1360 (2001) of 3 July 2001, 1382 (2001) of 29 November 2001, 1409 (2002) of 14 May 2002, and in particular, 1447 (2002) of 4 December 2002,

Convinced of the need as a temporary measure to continue to provide for the civilian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolutions 687 (1991) of 3 April 1991 and 1284 (1999), allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990), in accordance with the provisions of these resolutions,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Recalling its decision in resolution 1447 (2002) to extend the programme originated by resolution 986 (1995) for 180 days commencing at 0001 hours, Eastern Standard Time, on 5 December 2002 and consider necessary adjustments to the Goods Review List (S/2002/515) and the procedures for its implementation for adoption no later than 3 January 2003 and thereafter to conduct regular, thorough reviews of both,

Reiterating its determination to improve the humanitarian situation in Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Approves*, for implementation beginning at 0001 hours, Eastern Standard Time, on 31 December 2002, the adjustments to the Goods Review List specified in Annex A to this resolution and the revised procedures for implementation of the Goods Review List set forth in Annex B to this resolution, as a basis for the humanitarian programme in Iraq as referred to in resolution 986 (1995) and other relevant resolutions;

2. *Decides* to conduct a thorough review of the Goods Review List and the procedures for its implementation both 90 days after commencement of the period as defined in paragraph 1 of resolution 1447 (2002) and prior to the end of the 180-day period so defined and thereafter to conduct regular, thorough reviews, and, in this

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connection, requests the Committee established by resolution 661 (1990) to review the Goods Review List and the procedures for its implementation as part of its regular agenda and recommend to the Security Council necessary additions to, and/or deletions from, the Goods Review List and procedures;

3. *Directs* the Secretary-General, within sixty days, to develop consumption rates and use levels for the implementation of paragraph 20 of Annex B of this resolution;

4. *Appeals* to all States to continue to cooperate in the timely submission of technically complete applications and the expeditious issuing of export licences and to take all other appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi population as rapidly as possible;

5. *Decides* to remain seized of the matter.

Annex A

Textual entries for the proposed item changes to the Goods Review List

Chemical Section:

(1) C.l.0.4.1.0: Quantities of Atropine in doses greater than 0.6 mg/ml, Pralidoxime, Pyridostigmine and their respective salts, medical solutions of Sodium Nitrite, Sodium Thiosulfate that exceed the established consumption rates.

(2) A.52: Any inorganic phosphide that exceeds established consumption rates.

Note: Quantities of phosphides utilized with food grain shipments do not require review provided the amounts do not exceed 20 g of phosphide per metric tonne of grain.

(3) A.02, A.06, A.07, A.08, B.0l, B.02, B.03, B.08, B.l0, B.11, B.12: Remove n=1-3 restriction on various chemical entries.

Note: For List B chemicals:

Where n=1-3, the chemical shall be considered prohibited. Where n>3, the chemical will be referred for review

(4) 1.A.4.d: Quantities of activated carbon, that have been tested and certified effective for chemical weapons agent absorption, that exceed the established consumption rates.

(5) A.53: Quantities of organophosphate pesticides that exceed established consumption rates.

(6) C.l0.4.6: Equipment designed for the disposal of toxic chemicals as follows:

(a) Incineration equipment with an average combustion chamber temperature of over 1,273 K (1,000 C) or catalytic incineration equipment with an average combustion chamber temperature of over 623 K (350 C);

(b) Equipment utilizing disposal technologies other than incineration equipment in (a) to detoxify toxic chemicals including but not limited to liquid neutralization, gas phase chemical reduction, supercritical water oxidation, direct chemical oxidation, solvated electron, and plasma arc processes.

b.l. Liquid neutralization equipment, and specially designed waste supply and material handling systems, with reactor volumes of 0.100 m^3 (100 litres) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

b.2. Gas phase chemical reduction equipment, and specially designed waste supply and material handling systems, with continuous flow capacities for the disposal of toxic chemicals of 0.05 m^3/hr (50 litres/hour) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

b.3. Supercritical water oxidation equipment, and specially designed waste supply and material handling systems, with reactor volumes of 0.05 m^3 (50 litres) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

b.4. Direct chemical oxidation equipment, and specially designed waste supply and material handling systems, with reactor volumes of 0.100 m^3 (100 litres) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

b.5. Solvated electron equipment, and specially designed waste supply and material handling systems, with reactor volumes of 0.100 m^3 (100 litres) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

b.6. Plasma arc equipment, and specially designed waste supply and material handling systems, with continuous flow capacities for the disposal of toxic chemicals of 0.05 m^3/hour (50 litres/hour) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

(7) Entry (vii) and (viii) on list of materials encompassed by the term "corrosion resistant": (vii) nickel or alloys with more than 40 +/- 2 percent nickel by weight (some examples: Alloy 400, AMS 4675, ASME SB 164-B, ASTM B-127, DIN2.4375, EN60, FM60, IN60, Hastelloy, Monel, K500, UNS NO4400, Inconel 600, Colmonoy Nr.6); (viii) alloys with more than 25 +/- 2 percent nickel and 20 +/- 2 percent chromium and/or copper by weight (some examples: Alloy 825 Cunifer 30Cr, EniCu-7, IN 732 X, Inconel 800, Monel 67, Monel WE 187, Nicrofer 3033, UNS C71900, 904L, and CP40).

(8) C.10.4.11: Quantities of autoinjectors that exceed the established consumption rate.

(9) C.10.4.2: Corrosion resistant multiple-seal, canned drive, magnetic drive, bellows or diaphragm pumps, or progressive cavity tubing pumps (including peristaltic or roller pumps in which only the elastometric tubing is corrosion resistant) with manufacturer's specified maximum flow rate of 0.01 m^3 per minute or greater under standard temperature (293 K) and standard pressure (101.30 kP) conditions.

Corrosion resistant vacuum pumps with manufacturer's specified maximum flow rate greater than 0.08 m^3 per minute under standard temperature (293 K) and pressure (101.30 kP) conditions and the following components:

Impellers
Casings

(10) C.10.4.4: Corrosion resistant valves with a smallest inner diameter of 12.5 mm or more and the following components:

Valve wetted parts

Biological Section:

(1) 12: Quantities of Ciprofloxacin, Doxycycline, Gentamycin, Streptomycin that exceed the established consumption rates.

(2) 2.5: Sterilizing equipment designed to sterilize infectious material, with an internal volume equal to 1.0 m^3 or greater and the following components:

Doors
Door Seals

(3) 3.3: Orbital or reciprocal shakers with a total flask capacity greater than 25 litres, designed for use with biological material.

Shaking incubators with a total flask capacity greater than 25 litres, designed for use with biological material.

(4) 5: Quantities of formulated powdered growth media or cell culture media that exceed the established humanitarian use levels.

Quantities of formulated concentrated liquid growth media or cell culture media that exceed the established consumption rates.

Microbial grade yeast extract.

Cell culture grade fetal bovine serum.

(5) 4.1: Centrifugal separators (or decantors) designed for use with biological material capable of continuous operation at a flow rate of 20 litres per hour or greater and specially designed rotors therefor.

(6) 4.2: Batch centrifuges with a rotor capacity of 10 litres or greater, designed for use with biological agents.

(7) 11: Equipment for the microencapsulation of live microorganisms and toxins in the range of 1-15 micron particle size, to include interfacial polycondensors and phase separators, and materials such as lactic acid-glycolic acid copolymer, polyethylene glycol 6000, liposome materials such as phosphatidyl choline and hydrogels such as polyvinylalcohol and polyhydroxyethylmethacrylate, and agarose gel microspheres.

(8) 14: Filter presses and drum dryers capable of use with biological material.

(9) 13: Materials such as ion-exchange resins, gel filtration resins for column chromatography, and affinity chromatography resins used for the separation or purification of toxins.

(10) 1.2.14: Hantaviruses; 1.2.53: Lumpy Skin Disease virus.

(11) 7.2: Aerosol disseminators (other than aircraft sprayers or foggers), capable of dispersing aerosols with an ultimate mean size of 15 microns or less at a flow rate exceeding 1 litre of liquid suspension per minute or 10 grams of dry material per minute and the following components:

Spray tanks
Certified pumps Spray nozzles

Note: This entry excludes dry powder fire extinguishers.

Missile Section:

(1) 2.1: Rocket motor cases and production equipment therefor including interior lining, insulation and nozzles, and the technology, the production facilities and production equipment therefor to include computer controlled welding machines, non-destructive testing (NDT) equipment capable of using ultrasonic or X-ray to

inspect motor case/engine welds; engines, including devices to regulate combustion, and components therefor.

(2) 8.3.1.2: Theodolites with an accuracy of 15 arc seconds or greater accuracy.

(3) 4.2.3: (a) Fluid energy mills usable for grinding or milling ammonium perchlorate, RDX or HMX and ammonium perchlorate hammer and pin mills and the following components:

Casings
Hammer/Anvils

(b) Equipment capable of sizing the resulting particles to below 400 microns.

(4) 5.2, 5.3.1.a and 5.4.a: Modify missile entries to delete the phrase "designed for use in inertial navigation systems or in guidance systems of all types".

(5) 9.1.3: Test benches/stands capable of handling solid or liquid propellant rockets or rocket motors of more than 10 kN (2,248 lbs) of thrust, or capable of measuring one or more of the three axial thrust components along with spare parts, equipment and associated components (e.g. load cells, test sensors).

9.1.3.1: Load cells capable of measuring 8 kN (2,000 lbs) or greater.

9.1.3.2: Pressure transducers capable of measuring 2750 kPa (400 psi) or greater.

Conventional Section:

(1) 7.B.4: Global Navigation Satellite System (GNSS) jammers, GNSS-band signal generators, GNSS waveform/code simulators or GNSS receiver test equipment.

(2) 9.A.13.a: Low-bed trailers/loaders (height of 1.2 m or less) with a payload capacity of 20 MT or greater; bed width of 2.0 metres or more, including those vehicles with any extenders fully deployed; kingpin of 2.5 inches or greater; 3 or more axles; and tyre size of 1,200 x 20 or greater. Tractor or cab may or may not be attached.

(3) 5.A.1.b.7: b. Telecommunications transmission equipment and systems, and specially designed components and accessories therefor, having any of the following characteristics, functions or features:

7. Being radio equipment employing "time modulated ultra-wideband" techniques, having user programmable channelizing or scrambling codes.

5.A.2.a.: Systems, equipment, application specific "electronic assemblies", modules and integrated circuits for information security, as follows, and other specially designed computer components therefor:

5.A.2.a.9: Designed or modified to use cryptographic techniques to generate channelizing or scrambling codes for "time modulated ultra-wideband" systems.

(4) 7.A.3: Inertial Navigation Systems and inertial equipment and components designed therefor:

a. Inertial navigation systems (gimballed or strapdown) and in inertial equipment designed for "aircraft", land vehicle or "spacecraft" for attitude,

guidance or control, having any of the following characteristics, and components designed therefor:

a.1. (Renumbering of current GRL entry 7.A.3.a.)

a.2. (Renumbering of current GRL entry 7.A.3.b.)

b. Hybrid Inertial Navigation Systems embedded with Global Navigation Satellite System(s) (GNSS) or with "Data-based referenced Navigation" ("DBRN") System(s) for attitude, guidance or control, subsequent to normal alignment, having an INS navigation position accuracy, after loss of GNSS or "DBRN" for a period of up to 4 minutes, of less (better) than 10 metres Circular Error Probable (CEP).

(5) 5.A.1.b.8: Radio Intercept/Direction Finding (DF) Equipment/Systems.

(6) 5.A.1.b.7: Being broadcast transmitter (e.g. for radio or television) equipment operating in the .5-500 MHz (MF to UHF broadcast bands) with output power levels above 1 kW (Root-Mean-Square (RMS)).

(7) 1.A.6: Carbon Nanotube Materials; 1.B.4: Scanning Probe Microscope equipment or systems; 1.E.3: Carbon Nanotube Technology.

(8) 7.A.8: Full-Motion Flight Simulators/Training Systems for civilian transport aircraft.

(9) 9.A.13.b and c: Trucks with any military attributes (e.g., armour plating, electromagnetic pulse hardened, independent steering, Global Navigation Satellite Systems (GNSS), Global Navigation Satellite System Jammers and/or Night Vision Systems) or trucks with any of the following attributes: all-wheel drive capability, payload of 20 tons or greater, reinforced chassis, 370 or more engine horsepower, central tyre inflation, run flat capability and/or semi-pneumatic tyres, or independent levelling/stabilization. Truck chassis equipped with hydraulic lift systems over 8 tonnes or capable of attachments such as hoists, cranes, drills, and oil well workover capabilities would be covered as items for review.

(9) A.13.c: Tyres with equal to or greater than 16 ply rating or 10.00 x 20 tyres with non-directional, cross-country (NDCC) tread.

(9) B.11: Moulds designed for the production of the tyres identified in 9.A.13.c.

(10) 3.E.3.g: Other "technology" for the "development" or "production" of:

g. Electronic vacuum tubes operating at frequencies of 31 GHz or higher.

(11) 8.A.1.j: Fast/Workboats, of any construction, with length overall (LOA) in excess of 15 metres capable of speed in excess of 20 knots when laden with rated payload in excess of 1.5 tons or,

Fast/Workboats, of any construction, with length overall (LOA) in excess of 15 metres capable of speed in excess of 20 knots and equipped with corrosion-resistant firefighting water pumps and corrosion resistant nozzles, or

Fast/Workboats, of any construction, with length overall (LOA) in excess of 15 metres capable of speed in excess of 20 knots and equipped with or capable of being equipped with (defined as free or reinforced deck space equal to or greater than 2 metres square or 4 square metres) a crane or cranes with load capacity of one or more metric tons.

(12) 6.A.8: RADAR: ... *Note*: ... 6.A.8 does not require review of: ... d. Meteorological (weather) Radar.

Delete sub-item "d" from the above-referenced exclusion note.

6.A.8.a: All airborne radar equipment and specially designed components therefor, not including radars specially designed for meteorological use ...".

Delete "... radars specially designed for meteorological use ...".

Note: 6.A.8.k does not require review of LIDAR equipment specially designed for surveying or meteorological observation.

Delete "... or meteorological observation".

6.A.9: Equipment or systems, and components designed or adapted therefor, for meteorological observation, modelling and simulation, and/or forecasting.

6.B.9: Test, inspection, and "production" equipment for equipment, systems, and components adapted therefor, for which review is required under 6.A.9.

6.D.4 "Software" for meteorological use.

6.D.4.a: "Software" for the "development", "production", or "use" of equipment or systems requiring review under 6.A.9 or 6.B.9.

6.D.4.b: "Software" designed or adapted for meteorological modelling or simulation.

6.E.4: "Technology" according to the General Technology Note for the "use" of items for which review is required by 6.A.9, 6.B.9 or 6.D.4.

Annex B

Goods Review List procedures

1. The following procedures replace paragraphs 29 to 34 of document S/1996/636* and other existing procedures, notably for the implementation of the relevant provisions of paragraphs 17, 18, and 25 of resolution 1284 (1999) related to the processing of applications to be financed from the escrow account established pursuant to paragraph 7 of resolution 986 (1995).

2. Each application (the "Notification or Request to Ship Goods to Iraq," as attached to these procedures, hereafter referred to as "the application,") for the sale or supply of commodities or products to include services ancillary to the supply of such commodities and products, to Iraq to be financed from the escrow account established pursuant to paragraph 7 of resolution 986 (1995) must be forwarded to the Office of the Iraq Programme (OIP) by the exporting States through permanent or observer missions, or by United Nations agencies and programmes. Each application should include complete technical specifications, as requested in the standard application form, concluded arrangements (e.g., contracts), and other relevant information, including, if known, whether the application contains any item(s) covered by the Goods Review List (GRL), in order for a determination to be made on whether the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the GRL.

3. Each application will be reviewed and registered by OIP within ten working days. In the case of a technically incomplete application, OIP may request additional information before transmitting the application to the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA). If OIP determines that the requested information is not provided within 90 days, the application will be considered supplier-inactive and no further action on the application will be taken until the information is provided. If the requested information is not received within a further 90 days, the application will lapse. OIP should notify the submitting mission or United Nations agency in writing of any change in the status of the application. The OIP will identify an official to act as a contact point on each application.

4. After OIP registration of the application, each application will be evaluated by technical experts from UNMOVIC and IAEA in order to determine whether the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the GRL (GRL item(s)). At their discretion and subject to the approval of the 661 Committee, UNMOVIC and IAEA may issue guidance regarding what categories of applications do not contain any item(s) covered by paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the GRL. UNMOVIC, IAEA and OIP, working in consultation, may develop a procedure whereby OIP may evaluate and approve applications that, based on this guidance, fall within these categories.

UNMOVIC and IAEA should put into their records the information about the applications mentioned in subparagraphs a, b, c and d below, without prejudice to the review of these applications under the current procedures, and this information

should be subject to review, together with the reviews of the GRL and its procedures as set forth in paragraph 2 of this resolution, when:

(a) An application contains information about an item reviewed by UNMOVIC and IAEA that can be applied to weapons of mass destruction or missiles systems, or increase conventional military capabilities; or,

(b) The technical review of an application by UNMOVIC and IAEA yields ambiguity as to whether the technical specifications of any item included in such application are items covered by the GRL; or,

(c) The technical evaluation of any application conducted by UNMOVIC or IAEA determines that the amount of any item included in an application exceeds requirements typically associated with the civilian end use and the item is deemed to have potential military applications;

(d) The 661 Committee may request that Iraq explain the apparent stockpiling of an item through its purchases, and may request that OIP conduct an independent investigation.

In general, when experience under resolution 1409 (2002) and this resolution indicates to OIP, UNMOVIC, and the IAEA a need for adjustment of the Goods Review List and its procedures with a view to facilitating the flow of humanitarian goods to Iraq, then OIP, UNMOVIC, and the IAEA shall recommend appropriate adjustments for consideration by the Council in the context of regular reviews of the Goods Review List and its procedures.

5. Military goods and services are prohibited for sale or supply to Iraq under paragraph 24 of resolution 687 (1991) and are not subject to review under the GRL. For consideration of dual-use goods and services referred to in paragraph 24 of resolution 687 (1991), UNMOVIC and IAEA should process these goods and services pursuant to paragraph 9 of these procedures.

6. Upon receipt of a registered application from OIP, UNMOVIC and/or IAEA will have ten working days to evaluate an application as set forth in paragraphs 4 and 5. Absent action by UNMOVIC and/or IAEA within the ten working day period, the application will be considered approved. In the course of conducting the technical evaluation as set out in paragraphs 4 and 5 above, UNMOVIC and/or IAEA may request additional information from the submitting missions or United Nations agency. The submitting mission or United Nations agency should provide the additional information requested within a period of 90 days. Once UNMOVIC and/or IAEA receive the requested information, UNMOVIC and/or IAEA will have ten working days to evaluate the application under the procedure set forth in paragraphs 4 and 5.

7. If UNMOVIC and/or IAEA determine that the submitting mission or United Nations agency has not provided the requested additional information within the 90-day period set out in paragraph 6 above, the application will be considered supplier-inactive and no further action on the application will be taken until the information is provided. If the requested information is not provided within a further 90 days, the application will lapse. OIP should notify the submitting mission or United Nations agency in writing of any change in the status of the application.

8. If UNMOVIC and/or the IAEA determine that the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military

commodities and products, the application shall be considered ineligible for approval for the sale or supply to Iraq. UNMOVIC and/or IAEA will provide to the submitting mission or United Nations agency through OIP a written explanation of this determination.

9. If UNMOVIC and/or IAEA determine that the application contains any GRL item(s), they will immediately inform through OIP the submitting mission or United Nations agency. Pursuant to paragraph 11 below, absent a request by the submitting mission or United Nations agency for reconsideration within ten working days, OIP will forward the application containing the GRL item(s) to the 661 Committee for the purpose of evaluating whether the GRL item(s) may be sold or supplied to Iraq. UNMOVIC and/or IAEA will provide to the 661 Committee through OIP a written explanation of this determination. In addition, OIP, UNMOVIC and/or IAEA, at the request of the submitting mission or United Nations agency, will provide to the 661 Committee a complete and thorough assessment of the humanitarian, economic and security implications, of the approval or denial of the GRL item(s), including the viability of the whole contract in which the GRL item(s) appears and the risk of diversion of the item(s) for military purposes. The assessment provided by OIP to the 661 Committee should be transmitted in parallel by OIP to the submitting mission or United Nations agency. OIP will immediately inform appropriate United Nations agents of the finding of a GRL item(s) in the application and that the GRL item(s) may not be sold or supplied to Iraq unless otherwise notified by OIP that the procedures set forth in paragraphs 11 or 12 have resulted in approval for sale or supply of the GRL item to Iraq. The remaining items in the application, which are determined as not covered by the GRL, will be considered approved for sale or supply to Iraq and, at the discretion of the submitting mission or United Nations agency, and with the consent of the contracting parties, will be processed according to the procedure in paragraph 10 below. The relevant approval letter may be issued for such approved items under request from the submitting mission or United Nations agency.

10. If UNMOVIC and/or IAEA determine that the application does not contain any item referred to in paragraph 4 above, OIP will inform immediately the Government of Iraq and the submitting mission or United Nations agency in written form. The exporter will be eligible for payment from the escrow account established pursuant to paragraph 7 of resolution 986 (1995) upon verification by United Nations agents that the items in the application have arrived in Iraq as contracted. OIP and the United Nations Treasury will inform the banks within five working days that the items in the application have arrived in Iraq.

11. If the mission or United Nations agency submitting an application disagrees with the determination that an application contains an item(s) covered by paragraph 24 of resolution 687 as it relates to military commodities and products, or military-related commodities or products covered by the GRL, it may request a reconsideration of this decision, based on the provision of technical information and/or explanations not previously included in the application, within ten working days to OIP. In that event, UNMOVIC and/or IAEA, will appoint experts to reconsider the item(s) in accordance with the procedures set out in paragraphs 4 to 6 above. The decision of UNMOVIC and/or IAEA will be final and no further reconsideration will be permitted. UNMOVIC and/or IAEA will provide to the 661 Committee through OIP a written explanation of the final decision of the

reconsideration process. Applications shall not be forwarded to the 661 Committee until the reconsideration period has expired without a request being filed.

12. Upon receipt of an application pursuant to paragraphs 9 or 11 above, the 661 Committee will have 10 working days to determine under existing procedures whether the item(s) may be sold or supplied to Iraq. The Committee may take a decision on an item(s) according to the following options: (a) Approval; (b) Approval subject to conditions as stipulated by the 661 Committee; (c) Denial; (d) Request for additional information. Absent action by the Committee within the 10 working day period, the application will be considered approved. A Committee member may request additional information. If the additional information is not provided in the 90-day period, the item(s) will be considered supplier-inactive and no further action on the application will be taken until the information is provided. If the requested information is not provided within a further 90 days, the application will be considered lapsed. OIP should notify the submitting mission or United Nations agency in writing of any change in the status of the application. The 661 Committee will have 20 working days to evaluate the requested additional information once provided by the submitting mission or United Nations agency. Absent action by the Committee during the 20 working day period, the item will be considered approved.

13. Where the 661 Committee does not approve an item(s) for sale or supply to Iraq, the Committee will notify the submitting mission or United Nations agency with an explanation through OIP accordingly. The submitting mission or United Nations agency will have 30 working days to petition OIP to have the 661 Committee reconsider its decision based on new information not previously included in the application as reviewed by the 661 Committee. A decision by the 661 Committee on a petition received during this period shall be made within five working days and shall be considered final. Absent such a petition within 30 working days, the item will be considered ineligible for sale or supply to Iraq and OIP will notify the submitting mission or United Nations agency accordingly.

14. If an item(s) is found ineligible for sale or supply to Iraq or if an application is considered lapsed, the supplier may submit a new application based on either a new or an amended contract or donation documentation, and the new application will be evaluated under the procedures enumerated in this document and will append the original application (for information purposes only and to facilitate review).

15. If an item(s) is substituted for an item(s) that is either found ineligible for sale or supply to Iraq or is considered lapsed, the new item(s) will be submitted as a new application under the procedures enumerated in this document and will append the original application (for information purposes only and to facilitate review).

16. Experts from OIP, UNMOVIC and IAEA who evaluate applications should be drawn from the broadest possible geographical base.

17. The United Nations Secretariat will report to the 661 Committee at the end of each phase on the status of all applications submitted during this period, including contracts recirculated pursuant to paragraph 18 below. The Secretariat will provide to members of the 661 Committee, at their request, copies of applications approved by OIP, UNMOVIC, and IAEA, within three working days after their approval, for information purposes only.

18. Notwithstanding provisions of paragraph 17 above, all technical information transmitted to OIP, UNMOVIC and/or IAEA by the submitting missions or United Nations agency in accordance with these procedures is totally confidential.

19. OIP will divide contracts currently on hold into two categories: category A and category B. Category A will contain contracts on hold that have been designated by UNMOVIC as containing item(s) on one or more of the United Nations Security Council resolution 1051 lists. Category A will also contain contracts that were both processed before the Security Council adopted United Nations Security Council resolution 1284 and assessed by one or more members of the 661 Committee as containing item(s) on one or more of the United Nations Security Council resolution 1051 lists. OIP will consider contracts in category A to be "returned to the submitting mission or United Nations agency" and will notify the submitting mission or United Nations agency accordingly, including national comments if possible. The submitting mission or United Nations agency may submit a contract in category A as a new application under the GRL procedures. In category B will be all other contracts currently on hold. Contracts in category B will be recirculated by OIP under the GRL procedures. OIP will append the original committee registration number and national comments, for information purposes only, to any recirculated contracts. OIP should start this recirculation procedure within 60 days of adoption of this resolution and should complete the recirculation process within 60 days thereafter.

20. OIP shall approve humanitarian consumption rates and use levels for each chemical and medication specified in items 1, 2, 4, 5 and 8, Chemical Section and item 1 and 4, Biological Section of Annex A to the resolution. In establishing consumption rates, OIP shall be guided by information of typical civilian utilization of each item specified as appropriate for different periods of the year. OIP shall be guided further by the Council's central objective to facilitate and expedite the flow of medicines and medicinal chemicals for the benefit of the Iraqi people while providing the Council an opportunity to prevent stockpiling of such items to support military and weapons of mass destruction/missile applications. Proposed purchases by Iraq of these items that do not exceed the consumption rates established for each item shall be approved by the Secretariat; proposed purchases of these items that exceed the established consumption rates shall be referred to the 661 Committee for review consistent with these procedures. OIP shall process applications for these materials in the interim 60-day period prior to the implementation of this paragraph under the procedures established pursuant to resolution 1409 (2002).

December 2002 - REVISED FORM

SECURITY COUNCIL COMMITTEE ESTABLISHED BY RESOLUTION 661 (1990)
CONCERNING THE SITUATION BETWEEN IRAQ AND KUWAIT

NOTIFICATION OR REQUEST TO SHIP GOODS TO IRAQ

For further guidance regarding completion of application please consult OIP website (*www.un.org/Depts/oip*)

(TO BE COMPLETED BY THE UN SECRETARIAT)

COMM. No.	REGISTRATION DATE	DATE RECEIVED BY UNMOVIC (if applicable, for 986) DEADLINE DATE (for 661)	DATE SENT TO THE COMMITTEE (if applicable)

(TO BE COMPLETED BY PROSPECTIVE EXPORTING COUNTRY or INTERNATIONAL ORGANIZATION)

1. MISSION OR INTERNATIONAL ORGANIZATION	2. CERTIFYING SIGNATURE AND OFFICIAL SEAL
3. DATE OF SUBMISSION	4. MISSION REFERENCE No.

5. GOODS TO BE SHIPPED **(General description of the goods).**	6. NUMBER OF LINE ITEMS ON THE EXCEL FORM ATTACHMENT	7. TOTAL VALUE	8. CURRENCY ISO CODE

9. EXPORTER **Name:** **Address:** **Country:** **Phone/Fax/E-mail:**	10. ORIGIN of GOODS (if different from applicant State)
11. RECEIVING COMPANY / ORG **Name** **Address** **Phone/Fax/E-mail**	12. SHIPPING ARRANGEMENTS: **Select ONE Point of Entry into Iraq** ☐ Trebil ☐ Al Waleed ☐ Zakho ☐ Umm Qasr ☐ Ar'ar
13. END USER entity (if different from receiving company / org.) **Name:** **Address:** **Phone/Fax/E-mail:**	14. END USE Provide details of intended end-use. (attach additional sheets if necessary)

15. METHOD OF PAYMENT

☐ **From the Iraq Account in accordance with SC resolution 986 (1995)**
In this case, please fill out PAGES 2 and 3
(Relevant documentation including contract(s) must be attached)

☐ **By other arrangement:**
Provide as much detail as possible
(in this case, disregard Pages 2 and 3)

16. ADDITIONAL INFORMATION:
(Attach additional sheet if necessary)

IF THIS NOTIFICATION OR REQUEST TO SHIP GOODS TO IRAQ
IS TO BE PAID FROM THE IRAQ ACCOUNT
IN ACCORDANCE WITH SC RESOLUTION 986 (1995)
PLEASE FILL OUT THESE ADDITIONAL BOXES
(see box 15 on Page 1)

MISSION REFERENCE No. :

17. IDENTICAL GOODS PREVIOUSLY SUBMITTED:

Indicate whether or not you have previously submitted an application(s) for IDENTICAL goods.

☐ **YES** ☐ **NO** ☐ **UNABLE TO DETERMINE**

If **YES** provide Comm. number reference(s) with respective item number(s).

18. DETAILED LIST OF GOODS:

Indicate whether or not the scope of supply includes any spare parts, accessories, sets, kits, tool boxes, tools, equipment, special tools, lots or consumables.

☐ **YES** ☐ **NO**

If **YES** indicate whether or not all components of the spare parts, accessories, sets, kits, tool boxes, tools, equipment, special tools, lots or consumables have been listed as separate line items with the relevant description, quantity and price on the attached Excel form application.

☐ **YES** ☐ **NO** (in this case, the document will not be registered by the Secretariat)

19. TECHNICAL INFORMATION:

Indicate whether or not the scope of supply includes (separately or as part of larger item) any of the goods and/or technology specified on the OIP web site (www.un.org/Depts/oip)

☐ **YES** ☐ **NO**

If **YES** indicate whether or not the relevant technical specification form for each item has been completed and attached to the application.

☐ **YES** ☐ **NO** (in this case, the document will not be registered by the Secretariat)

20. GRL RELATED ITEM(S) AND/OR TECHNOLOGY:

Indicate whether or not the scope of supply includes any item included in the Goods Review List (GRL). The GRL may be accessed via the OIP website (www.un.org/Depts/oip).

☐ **YES** ☐ **NO** ☐ **UNABLE TO DETERMINE**

If **YES** indicate below the line item number and description as in the Excel sheet of these goods considered to be included on the GRL.

Line Item No.	Description	GRL Ref. No.

(attach additional sheets if necessary)

IF THIS NOTIFICATION OR REQUEST TO SHIP GOODS TO IRAQ IS TO BE PAID FROM THE IRAQ ACCOUNT IN ACCORDANCE WITH SC RESOLUTION 986 (1995) PLEASE FILL OUT THESE ADDITIONAL BOXES (see box 15 on Page 1)

MISSION REFERENCE No. :

NOTE : Boxes 21 to 24 refer to questions frequently asked by U.N. experts during the review of applications. To avoid processing delays, you are strongly advised to complete the following boxes and, if applicable, provide the relevant information when submitting the application. If these questions do not appear to relate to any of the goods in your application, please select "Not Applicable" box.

21.

Are any goods originally designed for military use?

☐ **YES** ☐ **NO** ☐ **Not Applicable**

If **YES** please attach the relevant information.

22.

Are any goods designed or modified to withstand the effects of electromagnetic pulse?

☐ **YES** ☐ **NO** ☐ **Not Applicable**

If **YES** please attach the relevant information.

23.

Are fiber optic cable or optical terminals to be supplied?

☐ **YES** ☐ **NO** ☐ **Not Applicable**

If **YES** please attach the relevant information.

24.

If the goods contain any bearings (as spare parts or as included in the equipment), are the bearings manufacture to a tolerance of ABEC 7 or 9 (or national equivalent).

☐ **YES** ☐ **NO** ☐ **Not Applicable**

If **YES** please attach the relevant information.

IMPORTANT NOTICE

The following attachments are compulsory

1) Excel form application listing IN DETAIL all goods (including all spare parts, accessories ...) + diskette
2) Contract signed by both parties with all attachments, enclosures and annexes
3) All relevant documentations and/or technical specifications of the goods (e.g. brochures, pictures, diagrams, chemical composition, material composition, etc.)

For further guidance regarding completion of application please consult OIP website (*www.un.org/Depts/oip*)

United Nations S/2002/1398

Security Council

Distr.: General
23 December 2002
English
Original: Arabic

Identical letters dated 18 December 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith the daily report for 18 December 2002 on the activities of the inspection teams of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Iraq (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed **Salman**
Chargé d'affaires a.i.

02-75512 (E) 271202 020103

Annex to the identical letters dated 18 December 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

Daily report on the activities of the UNMOVIC and IAEA inspection teams in Iraq

Daily activity report for Wednesday, 18 December 2002

1. IAEA inspection team

(a) One group, consisting of three inspectors, left the Canal Hotel at 0825 hours and proceeded to the Engineering Industries Institute (Ministry of Industry and Mining) in the Sayyidiyah area of Baghdad. It asked about the institute's activities and clients and checked its semi-annual declaration. It also checked a seal that had been placed on one of the machines. The group left the institute at 0950 hours and proceeded to the nearby Fida' State Enterprise, a Military Industrialization Corporation (MIC) company for hydraulic work. Its tour of inspection included all facilities, and it checked the machines subject to monitoring. The group left the enterprise at 1021 hours and at 1027 hours arrived at the State Automotive Enterprise's industrial engine plant (Ministry of Industry and Mining) in the Dawrah area of Baghdad. It inspected most of the machines in the workshop and checked their specifications. The group completed its assignment at 1103 hours and arrived at the Canal Hotel at 1130 hours.

(b) A second group, consisting of 15 inspectors, had spent the night of 17/18 December in Mosul. It left the hotel at 0830 hours, and at 0935 hours it arrived at the Saddam dam north of the city. It visited the water storage station and asked questions about it, inspected the site buildings, took swab samples, took readings with hand-held devices and, from a vehicle, conducted a radiometric survey within the site area. It finished its tour at 1345 hours, and at 1445 hours it arrived at the Jazirah irrigation project of the Ministry of Irrigation. It asked about the operating mechanism for the pumps and examined it, carried out an on-site radiometric survey and took swab samples. The assignment was completed at 1540 hours, and the group moved on to the MIC's Rimah project. It asked the plant manager about declared items, conducted a radiometric survey and took swab samples from various parts of the site. A smaller group went to the Ra'ikiyah gas plant and carried out a radiometric survey and took swab samples there. The assignment was completed at 1700 hours, and the group arrived at the hotel at 1720 hours.

2. UNMOVIC missile inspection team

The team divided into two groups.

One group, consisting of four inspectors, left the Canal Hotel at 0830 hours and proceeded to the Saqlawiyah conduit at Aqarquf, north of Baghdad. It reconnoitred a 2-kilometre section of the conduit. The group completed its assignment at 1015 hours and arrived at the Canal Hotel at 1115 hours.

The other group, consisting of six inspectors, left the Canal Hotel at 0835 hours and proceeded to a military site north of Baghdad where missile wreckage is stored. The group examined the stores and photographed the storage hangars. The same wreckage had been monitored by the former Special Commission. The assignment was completed at 1030 hours, and the group arrived at the Canal Hotel at 1105 hours.

3. UNMOVIC chemical inspection team

The team, consisting of 12 inspectors, left the Canal Hotel at 0835 hours. At 0900 hours it arrived at Al-Asbagh al-Hadithah, a mixed-sector company that produces many different kinds of paint in Za'faraniyah, one of Baghdad's southern suburbs. The team asked about any changes there had been since 1998, inspected the facilities and established coordinates for the main entrance. The team's assignment was completed at 1120 hours, and it arrived at the Canal Hotel at 1140 hours.

4. UNMOVIC multidisciplinary (chemical, missile and biological) inspection team

The team, consisting of 18 inspectors, left the Canal Hotel at 0835 hours. At 0910 hours it arrived at the Nasr State Enterprise, a mechanical engineering company belonging to the Ministry of Industry and Mining located some 30 kilometres north of Baghdad. It had been inspected in the past by the defunct Special Commission, and UNMOVIC and IAEA teams have inspected it several times since 27 November.

The team met with the general manager and asked about the nature of the enterprise and its activities. Its questions were answered. The team made a tour of inspection of the workshops for the fabrication of switches, [steel] structures and oil tanks as well as the foundry and presses. It checked the tagged equipment and Iraq's recent declarations, and it photographed all the facilities it visited and the wreckage of the machines destroyed in the United States and British aggression of December 1998. The assignment was completed at 1225 hours, and the team arrived at the Canal Hotel at 1310 hours.

5. UNMOVIC biological team

The team, consisting of 12 inspectors, had spent the night of 17/18 December in Mosul. At 0900 hours it proceeded to the Faculty of Sciences at Mosul University and visited its life sciences department and the adjacent buildings, namely the chemistry and mechanical engineering departments. The team asked about faculty and departmental projects and relationships with hospitals. It checked Iraq's recent declarations and the tagged equipment, and it took two bacterial samples from one of the laboratories. The team's assignment was completed at 1215 hours and it proceeded to another site.

At 1240 hours the team arrived at the Ministry of Industry and Mining's yeast plant in Mosul. It asked about the plant's activities, and its questions were answered. It checked the declarations and the tagged equipment and inspected the different sections of the plant. The team's assignment was completed at 1445 hours, and it arrived back at its hotel in Mosul at 1500 hours.

6. Remarks

1. As on previous days, inspection activities on 18 December were notably intensive and varied. Twelve sites in various parts of the country were visited, and 70 inspectors took part in inspection activities. As has been the case since 27 November, all inspections took place without prior notice to the Iraqi counterparts, and the Iraqi counterparts allowed immediate access to all the sites the teams wished to inspect.

2. Some of the sites inspected by teams on this day, including the Nasr State Establishment, were alleged in the report of British Prime Minister Tony Blair and the report of the United States Central Intelligence Agency to have been engaged in prohibited activities relating to weapons of mass destruction.

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Security Council

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Identical letters dated 19 December 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I wish to transmit to you herewith the daily report on the activities carried out by the inspection teams of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Iraq on 19 December 2002.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed **Salman Ali**
Chargé d'affaires a.i.

02-75521 (E) 020103 030103

Annex to the identical letters dated 19 December 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

Activities of the UNMOVIC and IAEA inspection teams in Iraq

Report on the activities carried out on 19 December 2002

I. IAEA inspection team

Group I

After spending a second night at Mosul, group I, composed of 15 inspectors, set out at 8.30 a.m. and arrived at 8.40 a.m. at the Al-Kindi State Enterprise, a company belonging to the Military Industrialization Corporation and located on the outskirts of Mosul, where it held a meeting with the general manager during which it inquired about the activities of the company. It conducted a radiation survey of all company sites, using portable equipment, and took samples from the water treatment station and laboratory effluent streams. The group also inspected the company's commercial department. The mission ended at 11.40 a.m. and the group left for Baghdad, arriving at the Canal Hotel at 5 p.m.

Group II

Group II, composed of three inspectors, set out at 8.30 a.m. and arrived at 8.55 a.m. at the 7 Nisan Company, an entity belonging to the Military Industrialization Corporation and located 20 kilometres south-east of Baghdad. Immediately upon arriving, the group held a meeting with the general manager, with whom it inquired about the way in which some of the machines were imported. The group then made a tour of inspection that included part of the plants and workshops.

The visit ended at 10.30 a.m., whereupon the group headed for another site. At 11.30 a.m. it arrived at the Rashid State Enterprise, an entity belonging to the Military Industrialization Corporation and located 50 kilometres south of Baghdad. The group inspected the central maintenance workshop of the enterprise, in order to examine three marked furnaces, and the warehouses, also to examine marked equipment. The visit ended at 12.08 p.m. and the group reached the Canal Hotel at 1 p.m.

II. UNMOVIC joint inspection team (chemical, missiles, biological)

The team, which was composed of 11 inspectors, left the Canal Hotel at 8.45 a.m. Arriving at the Sab' Abkar quarter of Baghdad at 9.25 a.m., it proceeded to the reception office of the Military Industrialization Corporation. The team entered the site, inspected it and left after 10 minutes, returning to the Canal Hotel at 10.15 a.m.

1. UNMOVIC inspection team (missiles)

Group I

Group I, which was composed of 12 inspectors, left the Canal Hotel at 8.40 a.m. At 8.55 a.m. it arrived at the Ibn Firnas State Company, a company belonging to the Military Industrialization Corporation and located 15 kilometres north of Baghdad. The group met with specialists at the Enterprise, who answered questions relating to its organizational structure. It then inspected the site and was provided with a copy of the site plan. The mission ended at 12.35 p.m.

Group II

Group II, which was composed of 11 inspectors, left the Canal Hotel at 8.35 a.m. and arrived at the Harith State Enterprise at 9.15 a.m. The Enterprise, which belongs to the Military Industrialization Corporation, is located 25 kilometres north of Baghdad. On arriving, the group held a meeting with the general manager and asked him questions regarding the changes that had taken place in the Enterprise from 1998 to the present and the duties of the various divisions of the Enterprise. The group then conducted a search of all the buildings of the Enterprise. The mission ended at 1.40 p.m. and the group returned to the Canal Hotel at 2.30 p.m.

2. UNMOVIC inspection team (chemical)

The team, composed of 22 inspectors, left the Canal Hotel at 8.15 a.m. and arrived at 9.35 a.m. at the pesticide plant in the Saqlawiyah area, in Anbar governorate. The plant is a subsidiary of the Tariq State Enterprise, which belongs to the Military Industrialization Corporation, and had already been visited by an UNMOVIC team on 9 December 2002. It is one of the sites that had been subject to monitoring and was bombed during the United States aggression in December 1998. The team met with the general manager and asked him questions about the changes that had taken place in the plant from 1998 to the present and about the end-users of its products. The team searched all the plant facilities and took a sample from a barrel. It completed its mission at 3.30 p.m. and returned to the Canal Hotel at 5.10 p.m.

3. UNMOVIC inspection team (biological)

Group I

Group I, which was composed of 11 inspectors, left the Canal Hotel at 8.45 a.m. At 9.15 a.m. it arrived at the Ibn al-Baytar Centre, a research facility belonging to the Ministry of Industry and engaging in pharmaceutical research. The Centre is located 10 kilometres north of Baghdad and is a site subject to monitoring. The group asked the competent persons at the Centre questions about the most significant changes that had taken place from the end of 1998 to the present and about the nature of the Centre's activities, its departments and its relationship to other research centres. The group photographed some of the marked equipment. It then inspected the buildings at the Centre, asked the competent persons questions about the nature of their work, checked the marked equipment and took castor oil

samples. The mission ended at 2.10 p.m. and the group returned to the Canal Hotel at 2.45 p.m.

Group II

After spending a second night in Mosul, group II set out at 9.10 a.m., proceeding directly to Baghdad. It did not carry out any inspection activity and arrived at the Canal Hotel at 1.55 p.m.

Communications Group

The Communications Group, which was composed of three persons, left the Canal Hotel at 9.30 a.m. and arrived at Rashid airfield at 10 a.m. in order to complete the installation of the accessory equipment of the communication system between the pilots' room at Rashid airfield and the Canal Hotel. The mission ended at 10.30 a.m. The group then went to the National Monitoring Directorate, where it tested the communication lines between the National Monitoring Directorate and the Canal Hotel. The mission was completed at 6.30 p.m.

Special Group

Three UNMOVIC staff members left the Canal Hotel at 5.15 a.m. and headed for Mosul in order to examine the site of the proposed headquarters to be created at Mosul airport. The Iraqi side provided the group with the necessary facilities.

Remarks

The activities of the inspection teams on 19 December 2002 were particularly intensive and varied. Participating in them were 91 inspectors, who conducted detailed inspections at eight sites, in addition to holding meetings with competent Iraqi officials, taking numerous environmental samples, conducting a radiation survey and checking documents and equipment.

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Letter dated 20 December 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I wish to transmit to you herewith a letter dated 19 December 2002 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq, concerning United States support for terrorism.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council, under the agenda item entitled "Measures to eliminate international terrorism", and as a document of the Counter-Terrorism Committee.

(*Signed*) Mohammed **Salman Ali**
Chargé d'affaires a.i.

02-75551 (E) 020103 020103

Annex to the letter dated 20 December 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

United States President George Bush has issued Presidential Determination No. 2003-06, directing the Secretary of State and the Secretary of Defense of the United States of America to furnish 92 million United States dollars for the purchase of military equipment and the provision of training for groups of mercenaries and terrorists for the purpose of undermining political stability and domestic security in Iraq and threatening Iraq's territorial integrity and political independence.

The said Determination, a copy of which is annexed for your perusal, constitutes a flagrant violation of the principles established in international law, and in particular the international covenants mentioned below:

1. The United States Presidential Determination represents aggression against an independent, sovereign State according to the definition of aggression appearing in United Nations General Assembly resolution 3314 (XXIX). Indeed, under article 3, paragraph g, of that resolution, the following constitutes aggression: "The sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State of such gravity as to amount to the acts listed above, or its substantial involvement therein."

2. Article 2, paragraph 7, of the Charter of the United Nations prohibits any intervention in "matters which are essentially within the domestic jurisdiction of any state". Any action on the part of a foreign State or of groups of mercenaries financed thereby that is aimed at changing a political regime by force constitutes a glaring case of intervention in matters essentially within the domestic jurisdiction of States and is therefore an egregious violation of one of the fundamental principles enshrined in the Charter. The American Presidential Determination is explicitly and barefacedly aimed at interference in the internal affairs of Iraq. Iraq is an independent sovereign State and one of the founding States of the United Nations and its people is sovereign in respect of its political choices.

3. Article 2, paragraph 4, of the Charter of the United Nations establishes an imperious principle that permits of no violation or conspiracy aimed at its violation. It requires all members of the international Organization to refrain "in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations." It is clear that the American Presidential Determination is aimed at the organization and financing of armed terrorist bands for the purpose of using force and threats of force against the territorial integrity and political independence of Iraq.

4. The American Presidential Determination is a flagrant violation of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, contained in General Assembly resolution 2625 (XXV), in particular the following principles:

(a) [Every State has the duty] "to refrain from organizing or encouraging the organization of irregular forces or armed bands, including mercenaries, for incursion into the territory of another State";

(b) "No State shall organize, assist, foment, finance, incite or tolerate subversive, terrorist or armed activities directed towards the violent overthrow of the regime of another State";

(c) "Every State has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another State";

(d) "Each State has the duty to respect the personality of other States";

(e) "The territorial integrity and political independence of the State are inviolable".

5. The American Presidential Determination constitutes a material breach of Security Council resolution 1373 (2001), which was adopted under Chapter VII of the Charter of the United Nations and established a set of obligations legally binding on all States Members of the United Nations, including the obligation to "prevent and suppress the financing of terrorist acts"; "refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists"; "deny safe haven to those who finance, plan, support, or commit terrorist acts"; and ensure that an "asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts".

6. The American Presidential Determination constitutes a material breach of Security Council resolutions adopted under Chapter VII of the Charter under the item entitled "The situation between Iraq and Kuwait", the most recent of which is Security Council resolution 1441 (2002), which reaffirms the commitment of all Member States to the sovereignty, independence and territorial integrity of Iraq.

The American Presidential Determination is in line with the series of acts of aggression and terrorism carried out by the United States against the Republic of Iraq since 1990. These acts include the systematic destruction wreaked on Iraq's cities, towns and villages and its economic, scientific, cultural and service establishments by United States and British aircraft, missiles and bombs in the illegal flight exclusion zones imposed by the United States and Britain since 1991 in clear violation of the Charter of the United Nations and the Security Council resolutions on Iraq. They also include the use against the people of Iraq of depleted-uranium munitions characterized by highly toxic radiation. In addition, the United States engages in the practice of lending support to international terrorism in other parts of the world, such as its unlimited support to Zionist terrorism against the Palestinian people.

The efforts of the international community to prevent acts of terrorism, including State terrorism, and to promote the ascendancy of international law and the Charter of the United Nations in international relations can succeed only if they are based on an absence of discrimination and on the fight, without double standards, against international terrorism wherever it may occur and whoever its perpetrators may be. Such behaviour on the part of the United States is the greatest factor undermining the efforts of the international community, its States and its organizations to combat international terrorism. A strong stand on the part of the international community is therefore required to rectify this serious fault.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs of Iraq

Enclosure

The White House
President George W. Bush

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For Immediate Release
Office of the Press Secretary
December 9, 2002

Presidential Determination No. 2003-06

MEMORANDUM FOR THE SECRETARY OF STATE
THE SECRETARY OF DEFENSE

SUBJECT: Presidential Determination on Authorization to Furnish Drawdown Assistance to the Iraqi Opposition under the Iraq Liberation Act of 1998

Pursuant to the authority vested in me as President of the United States, including under sections 4(a)(2) and 5(a) of the Iraq Liberation Act of 1998 (Public Law 105-338) (the "Act"), and consistent with Presidential Determination 99-13, I hereby direct the furnishing of up to $92 million in defense articles from the Department of Defense, defense services from the Department of Defense, and military education and training in order to provide assistance to the following organizations:

Iraqi National Accord;
Iraqi National Congress;
Kurdistan Democratic Party;
Movement for Constitutional Monarchy;
Patriotic Union of Kurdistan;
Supreme Council of the Islamic Revolution in Iraq;

and to such other Iraqi opposition groups designated by me under the Act before or after this determination. The assistance will be allocated in accordance with plans being developed by the Department of Defense and the Department of State.

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

# # #

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http://www.whitehouse.gov/news/releases/2002/12/20021209-5.html

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Letter dated 20 December 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I wish to transmit to you herewith a letter dated 19 December 2002 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq, concerning the seizure by Kuwaiti authorities of an Iraqi tugboat, pontoon and related crew on 3 December 2002.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed **Salman Ali**
Chargé d'affaires a.i.

02-75489 (E) 261202 261202

Annex to the letter dated 20 December 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

Authorities in the State of Kuwait seized Iraqi tugboat No. 51, which belongs to the Water Transport Company of the Ministry of Transport and Communications, together with its crew, while it was sailing in Iraqi territorial waters towing pontoon No. 32, which was empty. The tugboat had left the Iraqi port of Faw on 3 December 2002 heading for the port of Khawr al-Zubayr, where it was expected to arrive on 5 December 2002. The crew was composed of four Iraqi seamen, as follows:

1. Abd al-Karim Ali Abd al-Muhsin;

2. Husayn Ali Hafiz;

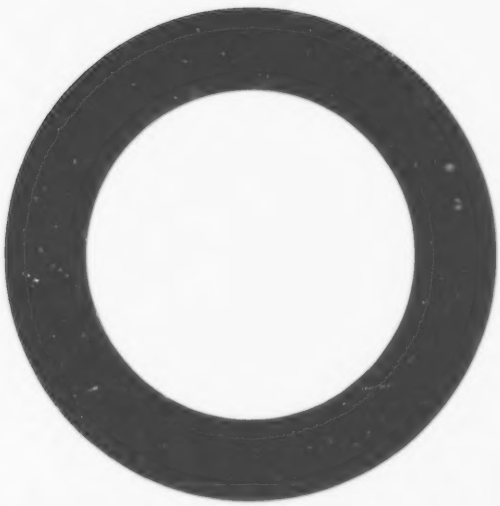
3. Ma'n Majid Abbas;

4. Riyad Jabbar Muhammad Yunus.

The Government of the Republic of Iraq holds the Government of the State of Kuwait responsible for preserving the safety of the four detained Iraqi nationals and also holds it fully responsible under the law for this act, which constitutes a breach of international law, the Charter of the United Nations, the provisions of the Security Council resolutions adopted under the item entitled "The situation between Iraq and Kuwait", which reaffirmed the commitment of all States Members of the United Nations to the sovereignty, independence and territorial integrity of Iraq, and the agreement reached by the two countries within the framework of the Beirut Arab Summit, in March 2002.

We exhort you to intervene in order to ensure the safety of the detained Iraqi crew members and to urge the authorities of the State of Kuwait to release them and return the tugboat and pontoon immediately.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs of Iraq



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Security Council

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Letter dated 18 December 2002 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to my mission of good offices in Cyprus.

Further to my letter of 5 December 2001 addressed to the President of the Security Council (S/2001/1182), I should like to draw your attention to the fact that efforts related to the mission will continue in 2003.

In furtherance of the mission entrusted to me, which includes consultations in the region as well as with various capitals, my Special Adviser on Cyprus, Mr. Alvaro de Soto, will continue to be assisted by a small team, as required.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council and emphasize the importance which I attach to their support in discharging this mission.

(*Signed*) Kofi A. **Annan**

02-75362 (E) 231202

United Nations S/2002/1403

Security Council

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Letter dated 20 December 2002 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 18 December 2002 (S/2002/1402) concerning your mission of good offices in Cyprus has been brought to the attention of the members of the Security Council. They take note of your letter.

(*Signed*) Alfonso **Valdivieso**
President of the Security Council

02-75369 (E) 231202